

RECESS.

Mr. STONE. I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m., Monday, February 15, 1915) the Senate took a recess until to-morrow, Tuesday, February 16, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 15, 1915.

UNITED STATES ATTORNEY.

John F. A. Merrill to be United States attorney for the district of Maine.

POSTMASTERS.

CALIFORNIA.

George E. Alexander, Hayward.
Joseph Galewsky, St. Helena.
J. I. C. Kennedy, Mountain View.
Owen Kenny, Calistoga.
Evelyn Mitchell, Dos Palos.
Peter D. McIntyre, Blythe.
Henry W. Nash, Stirling City.
John R. Snead, Dixon.
J. V. Swift, Redwood City.
W. W. Ware, Fort Bragg.

COLORADO.

William D. Richardson, Oak Creek.
O. W. McKinley, Ault.

CONNECTICUT.

Thomas H. Collins, Farmington.
Alexander Gilman, Putnam.
Hugh Hearn, Naugatuck.
William S. Meany, Greenwich.
David A. Wilson, Hartford.

IDAHO.

Everett Noble, Shoshone.

HAWAII.

Henry A. Juen, Waipahu.

INDIANA.

Alvin E. Hauk, Morristown.
Charles F. Ill, Notre Dame.
Frank L. Lashley, Centerville.
William Marmaduke, Wingate.
John W. Wright, Brookston.

KENTUCKY.

W. L. Hale, Mayfield.

LOUISIANA.

F. H. Gosman, Shreveport.
H. J. Nelson, Vinton.

MICHIGAN.

Mark Boyd, McBain.
John Dunham, Daggett.
Samuel McClellan, Springport.
Merton N. Wolcott, North Adams.

MINNESOTA.

M. J. O'Laughlin, Lake City.

MISSISSIPPI.

Thomas A. Chapman, Leakesville.

MISSOURI.

William T. Dameron, Huntsville.

NEW HAMPSHIRE.

Ferdinand French, Pittsfield.

NEVADA.

J. Lester Denton, Caliente.

OHIO.

Levi E. Bierer, McComb.
Joseph E. Blackford, Martins Ferry.
James W. Stoneburner, Roseville.

OKLAHOMA.

Caesar F. Simmons, Boley.

OREGON.

Lizzie M. Perkins, Gardiner.

TENNESSEE.

D. M. Brumit, Elizabethton.
L. H. Hammond, Mountpleasant.

TEXAS.

John E. Astin, Bryan.
Milton W. Cunningham, Amarillo.
Jack Dies, Beaumont.
Mary K. Hartson, Kyle.
Daniel F. Largent, Bridgeport.

VERMONT.

Henry B. Parkhurst, jr., North Troy.

WASHINGTON.

D. L. Becke, Lynden.
C. E. Hancock, Selah.
Elmer McBroom, Chehalis.

WYOMING.

Charles T. Sherbno, Sunrise.

WEST VIRGINIA.

Frederick H. Mahey, Rainelle.
M. T. Morrison, Sutton.
P. E. Nixon, Paw Paw.
R. G. Oxley, Athens.
Turner A. Wamsley, Parsons.

HOUSE OF REPRESENTATIVES.

Monday, February 15, 1915.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in Heaven, that amid all the changing scenes of life Thou art permanent. We are the moving procession. Thou art the same yesterday, to-day, and forever. We may pause, even retrograde, but Thy love stands waiting with beckoning hand to lure us onward and upward to permanency of character in righteousness, truth, justice, mercy, purity; for Thou art God—

"That God, which ever lives and loves;
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves."

So may we trust and advance under the leadership of the Master. Amen.

The Journals of the proceedings of Saturday, February 13, 1915, and Sunday, February 14, 1915, were read and approved.

BRIDGE ACROSS SUWANEE RIVER.

Mr. MANN. Mr. Speaker, the Record of Saturday in both the Senate and the House proceedings shows that Senate bill 7555, an act to authorize the construction of a bridge across the Suwanee River in the State of Florida, was signed by the Speaker and the Vice President as an enrolled bill. The Senate bill, with a similar House bill, was reported on Saturday. I do not think that the Journal shows that it passed the House. If it passed the House at any time, it has not been shown by the proceedings here.

Mr. ADAMSON. Mr. Speaker, the fact is, if the gentleman will permit, the House bill was reported by the committee on Friday, and after the committee had adjourned the Senate bill came over to the committee too late to report it out at that meeting. So the fact is that the House bill stands on the calendar reported by the committee, and the Senate bill has been referred to the committee and has been unacted upon.

Mr. MANN. But the CONGRESSIONAL RECORD shows, on page 3762 in the House proceedings, that the bill had been signed by the Speaker as an enrolled bill.

Mr. ADAMSON. That ought to be corrected.

Mr. MANN. The Record also shows in the Senate proceedings on page 3696 that the bill was messaged from the House to the Senate as having been signed by the Speaker and that it was thereupon signed by the Vice President.

Mr. ADAMSON. I have no doubt that was some other bill, and that a mistake of identity has been made.

Mr. MANN. But in each case the title of the bill is given correctly.

Mr. ADAMSON. It is not the fact.

Mr. MANN. That is the reason I am calling attention to it. If, as a matter of fact, it was sent over by inadvertence—

The SPEAKER. It was.

Mr. MANN. It ought to be recalled.

The SPEAKER. Will the gentleman make a motion to that effect?

Mr. MANN. I ask unanimous consent that the Senate be requested to return the bill to the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the Senate be notified of the situation and that they be requested to return the bill to the House. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. ADAMSON. That bill did not get reported in time to be put upon the Calendar for Unanimous Consent, but I hope that we will be permitted to pass it to-day notwithstanding.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The business in order to-day is the Calendar for Unanimous Consent, and the Chair repeats a request he made about this calendar on several occasions. If a gentleman has made up his mind resolutely to object to a bill, the Chair requests that he make his objection immediately after the reading of the title. The Clerk will call the first bill on the Calendar for Unanimous Consent.

BRIDGE ACROSS ST. LOUIS RIVER, BETWEEN WISCONSIN AND MINNESOTA.

The first business on the Calendar for Unanimous Consent was the bill H. R. 17762, to amend an act approved February 20, 1908, entitled "An act to authorize the Interstate Transfer Railway Co. to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota."

Mr. MILLER. Mr. Speaker, this bill has been read at a previous time, and I think it is not necessary to read it again. I ask unanimous consent that present consideration be given to H. R. 17762, the bill just reported, and also to H. R. 15727, authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin, and also S. 5325, authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin. I ask unanimous consent that all three of these bills be considered at this time.

Mr. BORLAND. Mr. Speaker, that is exactly what would happen in the calling of the Calendar in the regular way.

Mr. MILLER. I want to know now whether unanimous consent is to be given to the consideration of each one of the three.

Mr. BORLAND. How could the gentleman know that?

Mr. MILLER. We certainly can know it if the House agrees to it at this time.

Mr. BORLAND. Are these three all for the same bridge?

Mr. MILLER. No; two are for the same bridge and one is not.

Mr. BORLAND. What is the connection between them?

Mr. MILLER. I think there is no connection whatever between them. There are other gentlemen who think that there is a connection, and I therefore make this request in respect to them all.

Mr. ADAMSON. Mr. Speaker, while it has not appeared to the committee that there was any necessary or proper conflict between the two propositions, yet the alignment has been such that there are gentlemen on each side who do not want consent to be given for one to pass until they know the other will pass.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that all three of the bills referred to be considered.

Mr. ADAMSON. They are all upon the same subject.

Mr. LENROOT. I object. Let us take them up in their order.

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] objects. Is there objection to the present consideration of the bill H. R. 17762, which the Clerk has reported?

Mr. MILLER. I object. The gentleman from Wisconsin [Mr. LENROOT] objects to the consideration of his own bill, and I object to this.

The SPEAKER. The Clerk will report the next bill on the Calendar.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2789. An act to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SHERMAN as the conferees on the part of the Senate:

S. 6980. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 7213. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 7402. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2789. An act to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired—to the Committee on Military Affairs.

BRIDGE ACROSS ST. LOUIS RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15727) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects, and both of these bills are stricken from the calendar.

Mr. ADAMSON. I want to observe, while the gentlemen seem to be even, this is not getting us anywhere.

Mr. MILLER. Mr. Speaker, reserving the right to object—

The SPEAKER. There is nothing before the House.

Mr. MILLER. We can object to a great many of these bills.

CONSTRUCTION OF TWO REVENUE CUTTERS.

The business on the Calendar for Unanimous Consent was the bill (H. R. 18876) to provide for the construction of two revenue cutters.

The title was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

TO AMEND THE ACT TO REGULATE COMMERCE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20496) to amend section 15 of the act to regulate commerce, as amended June 29, 1906, and June 18, 1910.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

SALE OF LAND TO TOWN OF TEMPE, ARIZ.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11253) authorizing the Secretary of the Interior to sell to the town of Tempe, Ariz., a tract of land containing road-making material.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am inclined to object to this bill unless some very good reason can be advanced.

Mr. FERRIS. Mr. Speaker, the author of the bill is not here, but this bill only involves a very small tract; but I have not the facts fresh in my memory.

Mr. STAFFORD. The report says this is part of a monument and it might affect the scenic beauty of that monument. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill is ordered stricken from the calendar.

FALSE ADVERTISING IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4931) to prevent false advertising in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this bill, I see, provides a jury shall determine the penalty. Is that the case in the District of Columbia in other matters? It provides a jury shall determine the penalties.

Mr. JOHNSON of Kentucky. Mr. Speaker, I will say to the gentleman that after the bill was reported some inaccuracies were found in it, and it has been carried along with a view that they might be perfected by the author of the bill, but we have not yet corrected them.

Mr. MANN. Mr. Speaker, I ask that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS ST. LOUIS RIVER BETWEEN MINNESOTA AND WISCONSIN.

The next business on the Calendar for Unanimous Consent was the bill (S. 5325) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the bill is ordered stricken from the calendar.

FEDERAL BUILDING, POCATELLO, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4920) to increase the cost of construction of the Federal building at Pocatello, Idaho.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND and Mr. MADDEN. Mr. Speaker, I object.

Mr. SMITH of Idaho. Will the gentleman withhold his objection?

Mr. BORLAND. I will withhold my objection if the gentleman desires to submit a statement.

Mr. SMITH of Idaho. Mr. Speaker, I wish to call attention to the fact that this bill provides for an increase in the appropriation for the Federal building at Pocatello, where work has already been begun, the basement being completed; but work was suspended about eight months ago, with the expectation of getting an additional appropriation. The population of the town has increased very materially since the original appropriation was made, and the present building is not in conformity with the improvements of the city and the growing community around it.

An appropriation of \$100,000 for this building was made in the Sixty-second Congress; but because of the increase in the price of materials since the appropriation was made it was found that a building which would furnish sufficient accommodations for the Federal officers at Pocatello could not be constructed for this amount, and the plans were modified and a new contract let. Without this additional appropriation the building will necessarily have to be constructed of brick with sandstone trimmings and terra cotta belt course, and it is believed that a Federal building in a city of this size and importance, where so many Federal officers have quarters, should be constructed of stone. A new depot is being erected here at a cost of \$250,000, which conveys an idea of the importance of the city. The postal receipts for the last fiscal year were \$30,467.46.

Mr. FITZGERALD. What was the original limit of cost?

Mr. SMITH of Idaho. The original limit of cost was \$100,000.

Mr. FITZGERALD. How large a population?

Mr. SMITH of Idaho. About 12,000 population now.

Mr. FITZGERALD. How much increase is asked?

Mr. SMITH of Idaho. Twenty-five thousand dollars.

Mr. FITZGERALD. It is too much. If you can not get a building for \$100,000 in a community of 12,000 people we ought to quit building public buildings.

Mr. STAFFORD. The report says this is to be used for other purposes than a post office.

Mr. FITZGERALD. I do not care if it is.

Mr. SMITH of Idaho. It is to be used for other purposes, including the Federal Court, the Forest Service, Weather Bureau, and so forth.

Mr. BORLAND. Mr. Speaker, I have no objection to the gentleman from Idaho making his statement at that time as to the bill and have them appear in the Record, but I feel that this is no time to increase these estimates, especially in a city of that size, and I object. If the gentleman wants to add anything to what he has already said he can go ahead.

Mr. SMITH of Idaho. Mr. Speaker, I do not care, of course, to take up the time of the House if the gentleman insists on objecting.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

PIKE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18747) to reserve certain lands and to incorporate the same and make them part of the Pike National Forest.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Colorado; we have just established a national park out in Colorado—

Mr. FITZGERALD. The Rocky Mountain Park.

Mr. KEATING. This is not intended to establish a new national park.

Mr. BORLAND. Practically; it is to enlarge one.

Mr. KEATING. No; that is not the idea. It is simply to carry out a policy of the Forestry Service which is cooperating with towns in the mining sections of Colorado and other Western States for the purpose of safeguarding the water supply. This bill takes into the forest a sufficient amount of ground to safeguard the water supply of a stream that furnishes the city of Idaho Springs with water. If this bill is passed, the Forestry Service will enter into a contract with the city of Idaho Springs by which that particular district will be regulated, and the matter of pasturing cattle in that district and other questions affecting the safeguarding of the city's water supply will be taken up and an agreement entered into by which the city will probably pay a part of the cost of policing the district.

Mr. BORLAND. What progress has been made by the city toward assuming these burdens? It seems to be for their benefit.

Mr. KEATING. If the city does not do it, the Forest Service will not be obligated.

Mr. BORLAND. Is it anything more than retaining these lands?

Mr. KEATING. It simply includes them in the forest reserve.

Mr. MADDEN. Mr. Speaker, I object.

PAYMENT OF PENSION SURGEONS.

The next business on the Calendar for Unanimous Consent was House joint resolution No. 294, providing for payment of surgeons making examination at claimant's home in connection with claim pending in the Bureau of Pensions.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Clerk will report the next bill.

APPLICATIONS FOR LETTERS PATENT, ETC.

The next business on the Calendar for Unanimous Consent was the bill H. R. 2036, to extend temporarily the time of filing applications for letters patent and registration in the Patent Office.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, I object.

ADDITIONAL LAND DISTRICT IN CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 17388, creating an additional land district in the State of California, embracing lands contained in the county of Imperial, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar. The Clerk will report the next bill.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill S. 5449, to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BORLAND. Mr. Speaker, I object to that.

Mr. NORTON. Mr. Speaker, I hope the gentleman will withhold his objection.

Mr. BORLAND. Does the gentleman want to make a statement? If so, I withhold my objection.

Mr. NORTON. Yes; I would like to make a statement. I trust the gentleman will not be so indifferent to the welfare of other portions of the country than his own as to object to this bill. There is much need for this legislation, and I can not see any reason why anyone should have an objection to giving the privilege of the first section of the act of June 10, 1880, to this port. There is a great deal of freight coming from Canada to the port of Pembina and consigned to Duluth, Minneapolis, and St. Paul, that can be better appraised at these ports than at Pembina. And that is the purpose of this act.

Mr. BORLAND. The gentleman will know by reference to the previous history of this House that we passed a bill to have the Customs Service reorganized, and under that President Taft

reorganized that service and established certain districts, and he has abolished certain offices and centralized certain other divisions, and this is one of the attempts which are being made now constantly to add new ports of entry in addition to that system.

Mr. NORTON. The gentleman apparently has not read this bill at all.

Mr. BORLAND. This is a new port of entry.

Mr. MANN. The gentleman is mistaken. This does not affect the reorganization at all.

Mr. BORLAND. This adds a new port of entry.

Mr. MANN. Not at all. We have passed a great many of these. It is only a matter of convenience for the Treasury Department and importers. It does not add anything whatever to the expense of the Government. It does not create a new district, and it does not affect the reorganization.

Mr. BORLAND. Is the gentleman prepared to say that this does not add anything to the expense of the Government?

Mr. MANN. It does not.

Mr. BORLAND. How can that be, providing for appraisement at a port where no appraisement has heretofore been had?

Mr. MANN. There is no more expense in appraising it there than there is about appraising it at the other place.

Mr. BORLAND. That is a mere matter of conjecture.

Mr. MANN. We frequently have had that report from the Treasury Department. I do not speak from personal experience. We passed all these bills that have been recommended by the Treasury Department and by the Committee on Ways and Means. It does not affect the reorganization in any sense whatever. If it did, I would object.

Mr. BORLAND. It evidently enlarges the reorganization plan.

Mr. MANN. Oh, not at all.

Mr. NORTON. It certainly does not.

Mr. BORLAND. I have not any objection to the gentleman putting a statement in the Record.

Mr. NORTON. I do not care at all about making a statement. I want this bill passed, and I think it should pass. It does not add a cent of expense to the Government.

Mr. BORLAND. I expect to object to its passage under unanimous consent. I will say to the gentleman. If he wants to offer anything else, it is all right.

Mr. NORTON. Why do you object to it?

Mr. BORLAND. Because I do not think it properly belongs on the Unanimous Consent Calendar.

Mr. NORTON. Has the gentleman read the bill?

Mr. BORLAND. I have not.

Mr. NORTON. I think the gentleman ought to read it before assuming the responsibility of objecting.

Mr. MANN. I will say to the gentleman from Missouri [Mr. BORLAND] that during the past two years we have passed more than a dozen of these bills on the recommendation of the Treasury Department.

Mr. BORLAND. Mr. Chairman, I ask that the bill be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

BRIDGE ACROSS MISSISSIPPI RIVER, MUSCATINE, IOWA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 17907 granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation at or near Muscatine, in the county of Muscatine, in the State of Iowa, in accordance with the provision of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire whether this project is one in process of formation, whether the company has already been organized, or whether it is merely for the purpose of exploitation, to ascertain whether ultimately there will be capital sufficient to build the bridge?

Mr. ADAMSON. Mr. Speaker, I yield to the author of the bill to answer that question, the gentleman from Iowa [Mr. VOLLMER].

The SPEAKER. The gentleman from Iowa [Mr. VOLLMER] is recognized for five minutes.

Mr. STAFFORD. I am yielding, Mr. Speaker, for an answer to my question.

Mr. VOLLMER. I will say to the gentleman from Wisconsin, Mr. Speaker, that this is a bill in which the people of Muscatine, in the district I have the honor to represent, and across the river, in the district of the gentleman from Illinois [Mr. TAVENNER], are very much interested. They have sent communications from their commercial bodies and their boards of supervisors and the City Council of Muscatine and prominent people there vouching for this measure; that it is not a scheme of promotion, or anything of that kind, but a proposition that is intended to bring electric railway communication between the two sides of the river; and they hope and believe that as soon as the money market eases up they will be able to make arrangements to get their money and get an electric road to cross this bridge.

Mr. STAFFORD. When was the company formed for this purpose?

Mr. VOLLMER. I think three or four months ago.

Mr. STAFFORD. Are there any substantial backers behind it?

Mr. VOLLMER. Yes; Kansas City people and Muscatine people are back of this project, and they are said to be entirely responsible.

Mr. ADAMSON. Question.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

INTERNATIONAL DRY-FARMING CONGRESS.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 382) authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress, to be held at Denver, Colo., September 27 to October 8, inclusive, 1915.

The title of the joint resolution was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to extend invitations to other nations to appoint delegates or representatives to the International Dry-Farming Congress, to be held at Denver, Colo., September twenty-seventh to October eighth, inclusive, 1915: Provided, That no appropriation shall be granted for the expenses of delegates or for other expenses incurred in connection with the said congress.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next one.

EXCHANGE OF FOREST LANDS WITH THE STATE OF OREGON.

The next business on the Calendar for Unanimous Consent was the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. The Clerk will report the next one.

CONTRACTS UNDER RECLAMATION ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill is stricken from the calendar. The Clerk will report the next one.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

Mr. BORLAND. Mr. Speaker, I objected a few minutes ago to calendar No. 377, Senate bill 5449, to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement. I want to withdraw that objection.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to withdraw his objection to Calendar No. 377. Is there objection?

Mr. CLINE. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana objects. The Clerk will report the next one.

RETIREMENT OF CERTAIN OFFICERS OF PHILIPPINE SCOUTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1281) providing for the retirement of certain officers of the Philippine Scouts.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. The Clerk will report the next one.

Mr. PETERSON. Mr. Speaker, will the gentleman withhold his objection a moment? I would like to make a statement about that.

Mr. MANN. Certainly.

Mr. PETERSON. Mr. Speaker, this is a bill for the relief of Capt. John J. Clark. It applies to only one man. Capt. Clark was a soldier of the Civil War and served in that war until its close, and after that he served in the Regular Army. His entire service has amounted to over 40 years. After that he joined the Philippine Scouts, and his service in all aggregates nearly 53 years. Unfortunately the law is such that he can not be retired. This bill is to relieve that situation and retire this old soldier. It seems to me this bill ought to be permitted to pass.

Mr. MANN. Mr. Speaker, that is the objection I have to this bill. It is general in form, but it is intended to apply to only one person. If it is to apply to one person only, it should have been introduced as such and placed on the Private Calendar.

Mr. PETERSON. This bill has passed the Senate twice, and has been favorably reported here twice by the Committee on Military Affairs, and the War Department has approved it, and it is certainly just and right that it should be passed.

The SPEAKER. Does the gentleman from Illinois withdraw his objection?

Mr. MANN. No.

The SPEAKER. The bill is stricken from the calendar. The Clerk will report the next one.

SHOSHONE INDIANS IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14869) authorizing the Shoshone Tribe of Indians residing on the Wind River Reservation in Wyoming to submit claims to the Court of Claims.

The title of the bill was read.

Mr. SHACKLEFORD. Mr. Speaker, I make a point of order against that bill, for the reason that the committee that reported it had no jurisdiction even to consider or report it. It should have gone to the Committee on Claims. It is here improperly. The committee had no jurisdiction whatever to consider it.

The SPEAKER. What committee reported it?

Mr. SHACKLEFORD. The Committee on Indian Affairs.

The SPEAKER. The Chair thinks the gentleman's objection comes too late.

Mr. SHACKLEFORD. No. I call the attention of the Chair to the second paragraph of Rule XXII.

Mr. MANN. Paragraph 4 of Rule XXII.

The SPEAKER. What does the gentleman read from?

Mr. SHACKLEFORD. House Rules, Rule XXII, paragraphs 2 and 4. I call the Chair's attention to these words in paragraph 2:

Any petition or memorial or private bill excluded under this rule shall be returned to the Member from whom it was received; and petitions and private bills which have been inappropriately referred may, by the direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

Now, in the footnote to that it says:

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in Committee of the Whole.

It refers to Hinds' Precedents, volume 4, section 4382.

The SPEAKER. What is this bill about?

Mr. SHACKLEFORD. It authorizes a band of Indians to sue the United States Government, and to be paid out of the Public Treasury in case they recover a judgment. In other words, it is a claim to be paid out of the Treasury of the United States, and not out of Indian funds. Now, if the Chair does not happen to remember it, I call the attention of the Chair to paragraph 16 of Rule XI, which defines the things to be referred to the Committee on Indian Affairs:

The relations of the United States with the Indians and Indian tribes, including appropriations therefor.

The footnote says:

This committee has a broad jurisdiction of subjects relating to the care, the education, and management of the Indians, including the care and allotment of their lands. It also reports both general and special bills as to claims which are paid out of Indian funds.

The bill here does not provide that it shall be paid out of the Indian funds, but it is to be paid out of the Public Treasury, which clearly carries it to the Committee on Claims.

Mr. MANN. Mr. Speaker, the gentleman might also cite paragraph 27 of Rule XI, stating the jurisdiction of the Committee on Claims.

Mr. SHACKLEFORD. Yes. If the Speaker will pardon me, I will call attention to that:

To private and domestic claims and demands, other than war claims, against the United States—to the Committee on Claims.

Mr. Speaker, there are great numbers of these private bills being referred to the various committees. If this claim stood alone, I should not make the point.

The SPEAKER. The Chair will inquire of the gentleman: Is this a private bill or a public bill?

Mr. SHACKLEFORD. It is a private bill.

Mr. MILLER. Mr. Speaker—

The SPEAKER. The Chair thinks the point of order is well taken.

Mr. MILLER. This is not a private bill.

Mr. SHACKLEFORD. Oh, yes; it is.

Mr. MILLER. Mr. Speaker—

The SPEAKER. In a moment.

Mr. SHACKLEFORD. The fact that it is a band of Indians taken together does not make it a public bill any more than if it was a bill for the relief of one Indian.

The SPEAKER. If this is a private bill, it has no business on this calendar, anyway.

Mr. MILLER. That is certainly granted, but I do not agree with the proposition that it is a private bill.

The SPEAKER. Why not?

Mr. MILLER. It is a bill in relation to the rights of certain Indians who are wards of the Government, who are not represented here in any capacity whatever. Any bill that affects their welfare, their lands, their property, must of itself be a public bill, as far as the United States is concerned. It is not for the benefit of any private individual, corporation, or concern in the United States. It is a public matter, dealing with our relations with the Indian tribes. If the bill were a private bill, there could be no question whatever about the gentleman's statement that it was erroneously referred. But it is not a private bill.

I also desire to call the attention of the Chair to the fact that bills of this character have been referred to and considered by the Indian Affairs Committee without question for a great many years. Certainly for all the time I have been a member of that committee, which is six years, nobody has thought of raising the point that bills of this kind were not properly referred to that committee.

Section 16 of rule 686 gives the Committee on Indian Affairs jurisdiction over all bills that deal with the relations of the United States with the Indians and the Indian tribes, including appropriations therefor.

The footnote, referring to this committee, says:

It has a broad jurisdiction of subjects relating to the care, education, and management of the Indians, including the care and allotment of their lands.

The subject matter of the bill we are considering deals with two treaties made between the United States and Indian tribes; it also deals with public laws of the United States; the relations between the United States and Indian tribes as such in their very essence are public, not private.

Then, too, this bill deals with the allotment of Indian lands. It proposes that there shall be an inquiry into the treaties made controlling allotment of the Indian lands, and also an inquiry into whether or not in the allotment of the Shoshone Indian lands we have violated the terms of those treaties.

Let me also call the Chair's attention to the fact that the Indian Committee has jurisdiction, as everyone admits, of

claims arising from Indian depredations, and this whether the Indians complained of have funds in the hands of the United States out of which the claims can be paid or not.

Mr. SHACKLEFORD. May I interrupt the gentleman?

The SPEAKER. Does the gentleman yield to the gentleman from Missouri?

Mr. MILLER. I do not understand that I have the floor, Mr. Speaker.

Mr. SHACKLEFORD. Then I will say what I want to say in my own right. The condition that the gentleman refers to is just what induced me to make this point. In order to keep these claims within proper bounds it has been thought advisable that they should be properly coordinated by sending them all to one committee when they are to be paid out of the Treasury of the United States.

But the gentleman says an abuse has grown up in that committee, and I agree with him that it has, and that is what I have in mind in raising this point of order, to get this thing back where it belongs.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. SHACKLEFORD. Yes.

Mr. BURKE of South Dakota. The gentleman is entirely mistaken in saying this question has never been raised in the Committee on Indian Affairs. It has been often raised and was always sustained when I was chairman of the committee, and I think it has universally been held when the question has been raised that the Indian Committee is without jurisdiction.

Mr. MILLER. Mr. Speaker, with due respect to the distinguished gentleman from South Dakota and with due deference to his personal recollection as to what he did when he was chairman of the committee, I still maintain that not at any time since I have been a member of that committee has that point ever been raised, except when the gentleman from Missouri [Mr. SHACKLEFORD], who now raises the point here, raised it in the committee a few weeks ago.

The SPEAKER. The Chair will ask the gentleman from South Dakota, Is this a private bill or a public bill, in the gentleman's opinion?

Mr. BURKE of South Dakota. There is some doubt about it, but I am inclined to think it is a public bill. Many of this class of bills provide for appropriating the money that may be recovered in the judgment, and universally they have gone on the Union Calendar. Perhaps this bill is different in that respect. Recently we passed a bill restoring the annuities to the Santee Sioux. That bill was on the Union Calendar, and I think that has been the universal practice. If it is a private bill, of course it does not belong on this calendar.

Mr. MILLER. That was the point I started to make. These bills go to the Union Calendar. This bill is on the Union Calendar. A private bill is never placed on the Union Calendar.

The SPEAKER. Yes, but the way this bill got on the Unanimous Consent Calendar is that it was erroneously referred to the House Calendar.

Mr. MILLER. Yes, but in addition to that, will the Speaker allow me to call his attention to what it seems to me is the determining factor? This bill proposes to deal with the relations between the United States and a band of Indians, not between the United States and a citizen of the United States. If it did, the bill would be a private bill and a private claim.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. MILLER. This contemplates the consideration of the conduct of the United States in its trust capacity in relation to the property belonging to a large band of Indians, and it does not seem to me that it could from any point of view be considered as a private measure. It is a public measure. It deals with a public question. If the relations between the United States Government and a band of Indians are not a public question, I can not possibly conceive of anything that would be a public question.

The SPEAKER. Nobody understands or can define the exact relations between the Indian tribes and the United States. Sometimes they are treated as independent and sometimes as wards of the Nation.

Mr. SHACKLEFORD. In considering the importance of this as disclosed by what the gentleman from Minnesota says, the habit is growing up in several committees of taking jurisdiction of these bills, and that is the reason that I am opposing it, and I say that it is a private bill.

The SPEAKER. Why does the gentleman say it is a private bill?

Mr. SHACKLEFORD. A private bill does not necessarily have to be a bill for a private individual. It might be for Jim Jones, and it might be for some particular corporation composed of a hundred men, or an individual company composed of a million men. Still the single unit you are dealing with makes it a private bill.

This is not dealing with the Indians generally; it is dealing with a band of Indians as a consolidated unit that seeks to recover from the United States Government some money because that particular unit received some injury. It does not apply to all Indians. If it was for Jim Crow or Big Feather it would be a private bill, and the fact that it is for a particular band does not prevent its being still a single unit, and it does not apply to any other Indian tribe, and therefore, I say, is a private bill.

Mr. MANN. Mr. Speaker, to save any question about the matter I object.

Mr. FERRIS. Will not the gentleman withhold his objection and let the Speaker rule upon it for the benefit of the Indian Committee?

Mr. MANN. It is just because I think the Speaker ought not to be called upon to determine this question at this time without an opportunity to consult precedents that I have objected.

Mr. FERRIS. I have no desire to hurry the matter except to point out, as the House will remember, that when the Indian Committee had its bill in here the chairman of the committee ruled that everything subject to a point of order was a gratuity appropriation out of the Treasury. Now the gentleman rules that the Indian Committee has no authority to deal at all with these matters, but I want to call attention to the fact that the jurisdiction of the Indian Committee is slipping away pretty fast and soon will not have anything left.

Mr. MANN. Oh, no; I think not. I went over this matter when the bill was reported, and I was in doubt about it. I do not think the Speaker ought to be called upon to rule offhand, and I was going to object, anyhow.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

MANUFACTURE OF DENATURED ALCOHOL.

The next business on the Calendar for Unanimous Consent was the bill H. R. 9591, to permit the manufacture of denatured alcohol by mixing domestic and wood alcohol while in process of distillation.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, or the act amendatory to same approved March 2, 1907, or subsection 2 of subsection N of the act approved October 3, 1913, amendatory to same, domestic alcohol while it is in its nascent condition, before it has passed from the state of vapor, or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials or admixture of the same as to render such alcohol unfit for use as an intoxicating beverage and thereupon shall be directly conveyed from the still by continuous closed pipes to locked and sealed receptacles, from which it may be withdrawn under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 2. That where such alcohol is of insufficient proof to be denatured the same may be transferred in bond from such locked and sealed receptacles, free of tax, to a central distilling and denaturing plant, as provided for in subsection 2 of subsection N of the act approved October 3, 1913, where such alcohol may be redistilled and denatured when sufficient denaturants shall not already have been mixed with said alcohol, as hereinbefore provided, under such regulations and upon the execution of such notices and bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to ask some member of the Ways and Means Committee as to the reason that the bill was not submitted to the Treasury Department for condemnation or approval. I notice there is no reference whatever in the report to its having been submitted to the Secretary of the Treasury.

Mr. MOORE. The bill was introduced by my colleague [Mr. PALMER], and he was very much interested in it. It had the approval of the committee. As he is not here at the moment I ask that it be passed without prejudice.

Mr. STAFFORD. I notice that the chairman of the Ways and Means Committee has just come in. While the gentleman was temporarily absent I made an inquiry as to the reason the bill was not submitted to the Treasury Department for its approval or disapproval.

Mr. UNDERWOOD. I will say to the gentleman that I have not had charge of the bill personally. It was referred to a subcommittee, of which the gentleman from Pennsylvania [Mr. PALMER] was chairman, and he reported the bill. My understanding is that he had the matter up with the Treasury Department and they stated that it would not interfere with the revenue. It was a unanimous report from the Ways and Means Committee; the Members on both sides agreed to the bill. I am not in a position to give the gentleman full information because I have not given it any detailed study.

Mr. STAFFORD. I was not so much concerned about the first section of the bill as about the second section, which involves a question of practice as to the operation of making denatured alcohol which I think should be submitted to the commissioner general of internal revenue for his opinion. I have no objection to the bill being passed over without prejudice.

Mr. UNDERWOOD. I will say to the gentleman that I do not like to make a statement from memory without I am positive, but I am quite positive that this bill did go to the Treasury Department and met with its approval.

Mr. STAFFORD. I am in sympathy with the object sought to be obtained by the bill, particularly the first section, which seeks to legalize a new practice in making denatured alcohol, but I was thinking whether the second section might not meet with some objection from the Commissioner of Internal Revenue.

Mr. UNDERWOOD. I did not know the bill was coming up and therefore I have not the papers here, but I am satisfied in my own mind that it was submitted to the Treasury Department and met with its approval, or it would not have been reported by the committee.

Mr. JOHNSON of Kentucky. Mr. Speaker, I have read the bill a number of times, and I have serious doubts whether it will accomplish the purpose which it seeks to accomplish, and that is whether the new mixture of denatured alcohol will be free from tax. I think it had better be looked into before it is passed to see whether that is so or not.

Mr. UNDERWOOD. That would not hurt the Government any.

Mr. JOHNSON of Kentucky. No; but it would be better not to pass the bill unless it is going to accomplish the object sought.

Mr. UNDERWOOD. On what ground does the gentleman think the bill does not free the alcohol from tax?

Mr. JOHNSON of Kentucky. Will the gentleman show me where, in the bill, it does free it from tax?

Mr. UNDERWOOD. It says "notwithstanding anything contained in the act entitled 'An act for the withdrawal from bond, tax free, of domestic alcohol,'" and so forth.

Mr. JOHNSON of Kentucky. But that is only giving the title of another bill.

Mr. UNDERWOOD. The bill puts the new process under the same process and the same conditions as the act providing for the manufacture of denatured alcohol.

Mr. JOHNSON of Kentucky. I do not think it does. I think it gives the right to mix the vapors or condensed vapors, which mixing heretofore has not been allowed; but, after it is mixed, I doubt if the bill relieves it of the tax.

Mr. UNDERWOOD. I do not see why.

Mr. JOHNSON of Kentucky. Because it does not say so in so many words. I do not know that I am opposed to the bill. I am really seeking an explanation of its provisions with the view of determining whether I am for it or not.

Mr. UNDERWOOD. Here is the situation in reference to the bill: The general provisions of an act passed some years ago provide that denatured alcohol shall not be taxed. That is proposition No. 1. In the bill that became a law some time ago the way of denaturing alcohol was described in the bill. This method of denaturing alcohol is to denature it by mixing the vapors instead of after it has become a liquid.

Mr. JOHNSON of Kentucky. Mr. Speaker, if the gentleman will read line 4, page 2, he will find that he is mistaken in that respect. There it speaks of condensed vapors, and condensed vapor is a liquid.

Mr. UNDERWOOD. The process is intended to run the vapors out of one pipe system, or whatever it may be called, and as they go into the condensing pipe they go in together, where they will be denatured.

Mr. JOHNSON of Kentucky. If the condensing pipe is the worm, and there is no provision for other than one worm, then it goes from the still and must come from the one condensing pipe or worm; and the bill provides, in lines 3 and 4, page 2, that the condensed vapors may be mixed.

Mr. STAFFORD. But in line 3 it says "vapors."

Mr. JOHNSON of Kentucky. It says "vapors or condensed vapors." Vapor is one thing and condensed vapor is another.

Mr. STAFFORD. It permits both.

Mr. UNDERWOOD. This bill provides:

Or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials.

In other words, the purpose of the bill is to allow the man who makes the denatured alcohol to run the vapors of wood alcohol together with the vapors of grain alcohol, and I suppose

that when they go through the worm, as the gentleman calls it, where they are condensed into liquid form, the two classes of alcohol become condensed together, and the result is that you have an alcohol that has a sufficient amount of wood alcohol in it to prevent it from being used for drinking purposes.

Mr. JOHNSON of Kentucky. This goes further than that, however. The first vapor that comes from the worm, or the condensing pipe, if you choose to call it that, is of very high proof, and the longer vapor continues to come into the pipe and flow from it the lower in proof it becomes. Section 2 provides that this condensed vapor, or liquid, may be shipped in bond from one place to another when it is of "insufficient proof" to be denatured.

Mr. UNDERWOOD. I think that is the law to-day. There are certain classes of alcohol that can be shipped in bond.

Mr. JOHNSON of Kentucky. Oh, yes; whisky can be shipped in bond, but it would have to pay a tax of \$1.10 on a measured gallon instead of \$1.10 on a proof gallon if it were below 100 proof.

Mr. UNDERWOOD. That is when it comes out with an insufficient degree of wood alcohol in the balance of the alcohol to be of the test that the inspectors require in order to say that it amounts to denatured alcohol.

Mr. STAFFORD. Mr. Speaker, the second section provides that it shall be transported under those conditions free of tax.

Mr. JOHNSON of Kentucky. Yes; it can be transported free of tax, but when you are transporting it free of tax it is still in bond, and when it comes out of bond it must or must not pay the tax, and there is no provision in the bill which says in so many words that it shall not pay the tax when it comes out of bond. You can ship whisky from Kentucky to California in bond, but when it gets out to California, before it gets out of bond, the tax must be paid. There is no direct provision in this bill which says that the tax on these goods shall not be paid.

Mr. UNDERWOOD. The gentleman is mistaken about that, because he does not read this in the light of the present law.

Mr. JOHNSON of Kentucky. Oh, yes; I will say to the gentleman that I have read the present law in connection with it, and I fail to comprehend it.

Mr. UNDERWOOD. If the gentleman will allow me, I will try and explain it again. If there is sufficient denaturant which goes into the alcohol in this process, then it becomes denatured alcohol, and no denatured alcohol is taxed under the general law. Therefore, it is not subject to tax. If, during the process, the alcohol comes out, and there is not sufficient denatured alcohol to come up to the requirements of the law, then for mechanical purposes they are allowed to ship it in bond, if used for mechanical purposes, such as they are allowed to ship alcohol for to-day.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MADDEN. What advantage is there in mixing it?

Mr. UNDERWOOD. I will say to the gentleman that I am not sufficiently familiar with this process to know, except that I know there are certain gentlemen who have a process—I am not sure whether it is patented or not—

Mr. MADDEN. Is it intended to take the place of gasoline?

Mr. UNDERWOOD. Oh, no. Alcohol is used in the arts for a great many purposes.

Mr. MADDEN. I know it is.

Mr. UNDERWOOD. And they contend that if you denature it in this way they can produce denatured alcohol very much more cheaply than they can by the process of denaturing it as it is used to-day.

Mr. MADDEN. And they could use it for the same purpose for which gasoline is now used?

Mr. UNDERWOOD. Probably for some purposes for which gasoline is used, but alcohol is used for a good many purposes that gasoline could not be used for.

Mr. MADDEN. Oh, yes.

Mr. SHACKLEFORD. Mr. Speaker, if the gentleman will permit, I was a member of the committee at the time this bill was considered, and while I did not hear all that was presented, I was present at the committee when some of the hearings were had. The proposition was that under this process the denatured alcohol was made by a single process, whereas as it is now made it requires a double one. First, you manufacture the alcohol and then you subsequently denaturize it. These gentlemen have a process, which they propose to test, which produces the denatured alcohol in one process, thereby greatly reducing the cost of it. Now, as to the use of it, it will be used in whatever way denatured alcohol is used.

Mr. MADDEN. Does this strengthen it at all or make it better for fuel?

Mr. SHACKLEFORD. It is not made better or worse.

Mr. UNDERWOOD. I do not think it makes it any better or worse, as the gentleman from Missouri says. It is only the question that these men claim they can make cheaper denatured alcohol in this way. I do not say they can or not, but I think it is worth while that they should be given the opportunity.

Mr. SHACKLEFORD. As it is now, they can not even experiment in it without violating the internal-revenue law.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill may be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, or the act amendatory to same approved March 2, 1907, or subsection 2 of subsection N of the act approved October 3, 1913, amendatory to same, domestic alcohol while it is in its nascent condition, before it has passed from the state of vapor, or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials or admixture of the same as to render such alcohol unfit for use as an intoxicating beverage and thereupon shall be directly conveyed from the still by continuous closed pipes to locked and sealed receptacles from which it may be withdrawn under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

Sec. 2. That where such alcohol is of insufficient proof to be denatured the same may be transferred in bond from such locked and sealed receptacles, free of tax, to a central distilling and denaturing plant, as provided for in subsection 2 of subsection N of the act approved October 3, 1913, where such alcohol may be redistilled and denatured when sufficient denaturants shall not already have been mixed with said alcohol, as hereinbefore provided, under such regulations and upon the execution of such notices and bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SHOSHONE TRIBE OF INDIANS.

Mr. STEPHENS of Texas. Mr. Speaker, during my absence from the Hall a few moments ago Unanimous Consent Calendar No. 385 was called and some disposition made of it. I desire to know what disposition was made of the case.

The SPEAKER. It was stricken from the calendar.

Mr. STEPHENS of Texas. Was the question raised as to the jurisdiction of the Committee on Indian Affairs?

The SPEAKER. There were four or five questions raised, and finally the gentleman from Illinois [Mr. MANN] settled the whole squabble by objecting.

Mr. STEPHENS of Texas. Then it was objected to and went off the calendar on that ground and not on the ground of the lack of jurisdiction of the Committee on Indian Affairs?

The SPEAKER. No; the Chair is going to investigate that matter.

LOBSTER-REARING STATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 4725) providing for the establishment of a lobster-rearing station at some suitable point on the Atlantic coast.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

ENTRIES UNDER ACT OF MAY 29, 1908.

The next business on the Calendar for Unanimous Consent was the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That all entries made by beneficiaries under section 6 of the act of Congress approved May 29, 1908, entitled "An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes" (35 Stat., p. 465), in connection with which such beneficiaries have submitted proof of their compliance with the

homestead law in Wisconsin, and where such proof shows full five years' residence and improvements on the Wisconsin land, to which their title failed by reason of the decision of the Supreme Court in the case of the Wisconsin Central Railroad Co. v. Forsythe (159 U. S., p. 46), whether such entry is now being asserted by the original entryman or by his transferee, be, and the same are hereby, confirmed, and the Secretary of the Interior is directed to issue patents thereon: *Provided*, That this legislation is to be construed as only removing the objection with relation to transfer, heretofore raised by the Interior Department against said entries, and is not to be construed as confirming entries, if any, made for lands not subject to entry or entries made by persons not entitled thereto: *Provided further*, That if any of the said entries under the remedial act or amendments thereto have been canceled and the lands embraced therein reentered by intervening adverse claimants, such canceled entries are not to be reinstated and validated by this act, but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted.

The committee amendment was read as follows:

Page 2, strike out after the word "act," line 17, the comma and the words "but the right to make locations in lieu thereof for land subject to homestead entry is hereby granted."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the report from the Department of the Interior.

The SPEAKER. On this bill?

Mr. FERRIS. A report on this identical bill.

The SPEAKER. What is the request?

Mr. FERRIS. The request is to print in the RECORD a letter from the department's report on this identical bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to print in the RECORD a letter from the department about this bill. Is there objection? [After a pause.] The Chair hears none.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 18, 1914.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: By your reference I have for report Senate bill 5629, for the relief of certain persons who settled under the homestead laws upon certain lands which were lost to them because of conflict with the grant to the Wisconsin Central Railroad.

Congress has on three occasions legislated respecting the homestead settlers on the lands found to belong to the Wisconsin Central Railroad Co. The first was the act of April 19, 1904 (33 Stat., 184); the second, the act of May 29, 1908 (35 Stat., 465); the third was the joint resolution No. 164 of June 25, 1910 (36 Stat., 885).

A number of entries were made under said legislation by the alleged beneficiaries, and it appeared that agreements had been made by them prior to entry for the transfer of the lands to be so entered.

In the test case of Leopold Bauer, decided by the department February 21, 1910 (38 L. D., 460), adhered to on review and rereview (39 L. D., 304), the department held that the remedial legislation referred to contemplated merely that in making homestead entries for other lands for their own benefit the entrymen should be credited for the time spent and improvements made on the Wisconsin lands, but did not grant a scrip right nor authorize agreement prior to entry for transfer of the lands to be entered thereunder.

It appears that the entry of Bauer was canceled on August 6, 1913. The action of the department was predicated upon its view as to the proper construction to be placed upon said remedial legislation, which, in the opinion of the department, did not authorize transfer of the right of entry, but merely authorized entries to be made by the beneficiaries for their own use and benefit. The present legislation obviates the objection theretofore raised by the department and provides for confirmation of the entries whether such entries are now being asserted by the original entrymen or by transferees. The department is not at all averse to this legislation, inasmuch as it appears that the settlers made their settlements and improvements upon lands supposed to be public lands and lost their claims without any fault of their own. Having in effect earned title to the former lands, which could not be given them because the lands were not public lands of the United States, they may very properly be accorded the right to transfer the additional lands, and any agreements to do so made prior to entry may be allowed if Congress desires to grant such privilege.

It is believed, however, that the following provisions should be added to the proposed bill, viz:

"Provided, That this legislation is to be construed as only removing the objections with relation to transfer, heretofore raised by the Interior Department against said entries, and is not to be construed as confirming entries, if any, made for lands not subject to entry or entries made by persons not entitled thereto: *And provided further*, That if any of the said entries under the remedial act or amendments thereto have been canceled and the lands embraced therein reentered by intervening adverse claimants, such canceled entries are not to be reinstated and validated by this act, but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted."

Respectfully,

A. A. JONES,
First Assistant Secretary.

NONAPPRAISEMENT OF GOODS AT NYANDO, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I want to say to the House that this bill seems to be similar to Calendar No. 377, providing that same privilege for Pembina, N. Dak. I withdrew my objection to the other bill, being convinced that it was a measure that ought to pass in the interest of the efficiency of the service, and I hope these two bills will be taken up together, and I ask unanimous consent that Calendar Nos. 377 and 391 be taken up together, as they are exactly similar bills.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Calendar No. 377, at the foot of the first page of the calendar, and Calendar No. 391, being similar, shall be taken up together.

Mr. NORTON. Mr. Speaker, as the gentleman from Missouri has stated, these bills are similar in their purpose. The gentleman from Indiana [Mr. CLINE] a few minutes ago objected to Calendar No. 377, but since having more carefully considered the bill I am advised has no objection to it now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report 377.

Mr. MANN. Mr. Speaker, I ask unanimous consent that both bills may be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

The Clerk read as follows:

An act (S. 5449) to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and the same are hereby, extended to the port of Pembina, N. Dak.

The bill was ordered to be read a third time, was read the third time, and passed.

NYANDO, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and the same are hereby, extended to the port of Nyando, N. Y.

The bill was ordered to be read a third time, was read the third time, and passed.

RESERVATION OF SCHOOL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20851) to reserve lands in the Territory of Alaska for educational uses and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, it seems to me this bill is one which ought to receive some discussion and consideration in the House.

Mr. FERRIS. The gentleman from Wisconsin [Mr. LENROOT] is familiar with it and I hope he will reply to the gentleman and give all the information the gentleman desires.

Mr. MANN. As I understand this bill it would not raise any money immediately for school purposes.

Mr. LENROOT. When the coal lands are leased it will.

Mr. MANN. When the coal lands are leased. Is the money received from that put in a fund?

Mr. LENROOT. Put in a fund and the income therefrom shall be available only.

Mr. MANN. So necessarily it would raise no money very soon.

Mr. LENROOT. No; I will state to the gentleman the object of the bill is not with the idea of any substantial amount being raised at this time, but surveys are being made and lands are being entered. The purpose of the bill and all that it does is to make reservation of these school sections, a certain amount of the land when the lands are surveyed, if they are nonmineral in character.

Mr. MANN. I do not know that I would have any objection to the passage of the bill, but it does involve some questions which I think ought to be considered and discussed.

Mr. LENROOT. I will say to the gentleman that the bill as originally introduced was a very sweeping one, and attempted to make a grant of land to establish a college, and many other things. The committee simply cut all of that out of the bill and simply provide for the reservation and the income from

leased lands to go into a territorial fund, the principal of which will remain intact and the income used for school purposes.

Mr. MANN. Of course, it is almost self-evident, maybe not quite, that this bill will not become a law at this session of Congress, owing to the situation in the Senate, and it seems to me that a bill of this character, involving the question and, I might say, almost a novel proposition, ought to be discussed somewhat in the House, and not passed by unanimous consent without any consideration. I do not know but that I am in hearty accord with the propositions in the bill, but I think it ought to be considered in the House, and, with some regret, I shall have to object at present.

The SPEAKER. The gentleman from Illinois objects.

Mr. MANN. I am perfectly willing to pass it over.

Mr. LENROOT. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

TO PLACE BARROW COUNTY, GA., IN EASTERN DIVISION, NORTHERN DISTRICT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20688) to place Barrow County, Ga., in the eastern district of the northern district of Georgia.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I should like to make one inquiry. What is the name of this county?

Mr. LEE of Georgia. It is Barrow County.

Mr. MANN. It is Barrow, and not Bartow?

Mr. LEE of Georgia. Mr. Speaker, I want to amend in line 3.

The SPEAKER. You have not unanimous consent to consider the bill as yet.

Mr. MANN. The bill has one name and the report another.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Bartow, in the State of Georgia, is hereby attached to and made a part of the eastern division of the northern judicial district of said State.

Mr. LEE of Georgia. Mr. Speaker, I desire to offer an amendment. I should like to amend in line 3 by inserting the word "Barrow" in place of the word "Bartow."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

The title was amended to conform with the text.

LEGISLATIVE REFERENCE DIVISION, LIBRARY OF CONGRESS.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 20095, to establish the Legislative Reference Division of the Library of Congress.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I see that the gentleman from Texas [Mr. SLAYDEN], the author of the bill, is not present. I ask unanimous consent that the bill be passed without prejudice.

Mr. BORLAND. Mr. Speaker, I object to the consideration of the bill.

Mr. MONDELL. Mr. Speaker, I hope the gentleman from Missouri [Mr. BORLAND] will not object and insist on the bill going off the calendar. The gentleman from Texas [Mr. SLAYDEN], who is interested in this bill, as many of us are, unfortunately is not here to-day.

The SPEAKER. It has not been three minutes since he was here.

Mr. BORLAND. The gentleman recollects the bill was—

Mr. MANN. Mr. Speaker, I withdraw my request.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that this bill be temporarily passed.

The SPEAKER. The gentleman from Texas asks that the bill be passed temporarily. Is there objection?

Mr. BORLAND. Reserving the right to object, I want to say that this is a bill that will occasion a great deal of debate. There is a pretty widely marked difference of opinion as to the character of the legislative bureau that ought to be created. Under a clause that got into an appropriation bill in another body a year ago, they established this bureau and employed a large number of people and collected a lot of information upon

general subjects, such as the advisability of having a budget system, and so on. This is not the kind of legislative bureau that we thought we were going to have, by which Members could have bills redrafted to comply with the decisions of the Attorney General and the courts and Comptroller of the Treasury, but a legislative bureau to go into the investigation of what foreign Governments have done on various matters, such as for rural credits and public health, and so forth.

The SPEAKER. Is there objection to the request that this bill be passed temporarily?

Mr. BORLAND. I object on the ground that it does not properly belong on this calendar and it will occasion a good deal of debate when it comes up.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BORLAND. I object to that, too.

Mr. STEPHENS of Texas. I hope the gentleman will not object.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] objects, and the bill is stricken from the calendar.

CLAIMS OF SISSETON AND WAHPETON BANDS OF SIOUX INDIANS.

The next business on the Calendar for Unanimous Consent was the bill S. 5255, an act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States.

Mr. NORTON. Mr. Speaker, I ask that the bill be passed without prejudice.

Mr. SHACKLEFORD. I make the same point of order against that bill that I made against the bill H. R. 14869. The gentleman from Minnesota [Mr. MILLER] made the point that it was not a public bill, which I think is not tenable; but, if it were, it does not alter the case. This is a bill for a claim against the Government. It is a claim against the United States Treasury, and as such, regardless of the character of the claim, it should have gone to the Claims Committee. Now, like the chairman of the Committee on Indian Affairs [Mr. STEPHENS], I would like to have a ruling on the point of order; and I will ask, if the Speaker is not ready to rule, to have it submitted to him and have him take it under advisement until some future day and give us a ruling.

The SPEAKER. The Chair will do that. The gentleman asks unanimous consent that this bill be passed without prejudice.

Mr. MANN. Mr. Speaker, I object to the consideration of the bill.

Mr. SHACKLEFORD. Mr. Speaker, I think the point of order has precedence over the objection to it. Whenever it comes up it is subject to a point of order, and I make the point of order. I do not ask the Chair to decide it now, but let it be pending.

The SPEAKER. The gentleman from Missouri will please furnish the Speaker with a brief on all these points. The gentleman from Illinois [Mr. MANN] objects.

Mr. STEPHENS of Texas. I want to state, Mr. Speaker, that this has been a vexed question, and we want it decided one way or the other.

The SPEAKER. The Chair will settle it as soon as he gets a chance to investigate it, but it is an important matter, and as it will probably affect many other bills, he does not wish to settle it offhand. It is as troublesome a bill as there is in the House.

The gentleman from Illinois [Mr. MANN] objects, and the bill is stricken from the calendar.

LEGISLATIVE JOURNALS AS SECOND-CLASS MAIL.

The next business on the Calendar for Unanimous Consent was the bill (S. 1701) to admit legislative journals of State and Territorial legislatures to the mails as second-class mail matter. The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MURDOCK. Reserving the right to object, Mr. Speaker, I would like to have some explanation as to what extent this is going to increase the free matter. It is penalty matter?

Mr. MADDEN. That bill passed the Senate and was referred to the Committee on the Post Office and Post Roads, and Senator BRYAN appeared before the committee and made the statement that a great many requests had been made by officers of the States that permission should be granted to send the journal of the legislatures to the people within the States, not outside the States, without payment of postage.

Mr. MURDOCK. The Post Office Department at the present time is struggling with a deficit that seems to be growing.

Mr. MADDEN. This will not amount to much.

Mr. MURDOCK. There are 48 States in the Union, and some of them have yearly sessions of the legislature, and some have biennial sessions.

Mr. MADDEN. Yes.

Mr. MURDOCK. It seems to me that would increase the amount of franked matter considerably.

Mr. STAFFORD. Mr. Speaker, if my colleague on the committee will permit, this is not intended to increase the amount of franked matter, but merely to grant to daily legislative journals the second-class mailing privilege. It is not frankable.

Mr. MANN. Reserving the right to object, Mr. Speaker, what are the "daily legislative journals" of the legislative bodies? I know that we have a Journal here, but it is not printed every day.

Mr. MADDEN. Whatever it is, that is what they want.

Mr. MANN. Yes; "whatever it is." I would like to know what it is. It may be a chance to insert all sorts of matter in a legislative journal and send it out under the second-class privilege. The legislative journal is not printed daily.

Mr. MADDEN. In our hearings it was understood that it was merely the journal of the proceedings of the day.

Mr. MANN. Perhaps it is a daily legislative calendar.

Mr. MADDEN. No; it is not a calendar.

Mr. MANN. Certainly the journal of the proceedings is not printed daily in any legislative body on earth.

Mr. MADDEN. If it is not printed daily it would not be sent out daily.

Mr. MURDOCK. Do any legislatures keep a stenographic report of the proceedings?

Mr. MANN. I think not. But it would not be that. We have a legislative Journal here in the House, but it is not printed daily. It is printed some time after the end of a session. I do not think there is any legislative body that prints what we call a journal daily. Now, if this means something, apparently no one knows what it does mean. The sending out of the CONGRESSIONAL RECORD is now quite an expense, and if we undertake to allow them to send out everything that is inserted in every legislative body in the States, including all the bills that are introduced and all the reports that are made, the privilege would be used very extensively, possibly, and at considerable cost.

Mr. MADDEN. This is not giving the franking privilege.

Mr. MURDOCK. That was my first impression—that it did give it.

Mr. MANN. Oh, I know; but to send at 1 cent a pound is practically below cost.

Mr. MADDEN. The question is whether the people in the States are not sufficiently interested in the proceedings of the legislatures of the States to justify the enactment of such a law as this.

Mr. MANN. I suspect that if I were in one of the legislative bodies in a State and desired to publish to my constituents the great amount of work that I was doing, I would have the journal showing that I had introduced such and such bills and mail that at 1 cent a pound to all the constituents in my district. It is purely political campaigning that ought to be paid for by the man that does it, and not by the Government of the United States.

Mr. MADDEN. I am not interested in that at all.

Mr. MOORE. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] objects.

AMENDMENT OF THE INTERSTATE COMMERCE ACT.

Mr. CULLOP rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. I want to call up the bill (H. R. 2496) to amend section 15 of the act to regulate commerce, as amended June 29, 1906, and June 18, 1910. It was called up a few moments ago and objection was made when it was called up, and it was stricken from the calendar. I want to know if the gentleman from Illinois [Mr. MANN] will consent that the bill be passed over without prejudice, and not stricken from the calendar. It is the bill H. R. 2496 to amend section 15 of the Interstate Commerce act. It is No. 368 on the calendar.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] asks if the gentleman from Illinois [Mr. MANN] will withdraw his objection made to the consideration of this bill, and let it be passed over without prejudice?

Mr. MANN. So far as I am concerned, Mr. Speaker, I have no objection.

The SPEAKER. The gentleman from Indiana asks unanimous consent to pass over the bill without prejudice. Is there objection?

Mr. MOORE. I object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] objects.

Mr. CULLOP. Mr. Speaker, will the gentleman from Pennsylvania withhold his objection for a moment?

Mr. MOORE. I have no objection to withholding it.

Mr. CULLOP. This bill passed the Sixty-second Congress by practically a unanimous vote. It is a bill of great importance to the country, for the uniform classification of freights, and I hope that the gentleman will consent that the bill may be passed over now, as objection has been made, without prejudice, so that at some other time it may be taken up during the session. It is a matter of great importance.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MOORE] adhere to his objection or does he relent?

Mr. MOORE. Mr. Speaker, this is a very important bill, and it is one to which some of the commercial bodies of my section of the country object. I have been hearing from them on this subject. There should be a full discussion of a measure of this importance, and it seems unfair to bring it up in this way on unanimous-consent day when everything is under such high pressure. I would be willing to have it considered in the regular way, but it should not be considered now.

Mr. CULLOP. I want to say to the gentleman, in that connection, that very extensive hearings were had on this bill.

Mr. MOORE. May I ask the gentleman what his request was?

Mr. CULLOP. It was that the bill may now be passed over without prejudice, as objection was made to its consideration.

Mr. MOORE. I do not object.

The SPEAKER. Is there objection?

There was no objection.

INVESTIGATION AND SETTLEMENT OF ACCOUNTS UNDER RECLAMATION ACTS.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. For the purpose of asking unanimous consent that the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes, No. 383 on the calendar, be passed over without prejudice. I want to call the attention of the gentleman from Illinois [Mr. MANN] to the fact that I have taken this matter up with the department and have had the matter practically looked into, and I ask that it be passed over without prejudice. It has to do with the settlement of accounts under reclamation projects for labor performed.

Mr. MANN. I have no objection. That is the mechanics' lien matter?

Mr. RAKER. Yes.

Mr. STAFFORD. I object to having it returned to.

Mr. MANN. The gentleman is trying to prepare a proper bill?

Mr. RAKER. Yes; I am having it put in proper shape, and at the next consideration I will have it in proper shape.

The SPEAKER. The gentleman from California asks unanimous consent that Calendar No. 383 (H. R. 124) be passed without prejudice. Is there objection?

Mr. MILLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER. I understand that bill was stricken from the calendar.

The SPEAKER. Yes.

Mr. MILLER. Will the unanimous consent asked for by the gentleman from California restore it to the calendar; and, if so, to the place it formerly occupied on the calendar?

The SPEAKER. The Chair thinks it would; but to be on the safe side the Chair will put the request in this way: The gentleman from California asks unanimous consent to pass Calendar No. 383 (H. R. 124) without prejudice and to have it restored to the relative place on the calendar that it now occupies. Is there objection?

Mr. BORLAND. I object.

Mr. RAKER. Will the gentleman let it go to the bottom of the calendar?

Mr. BORLAND. This bill has been on the calendar every time it has been called.

Mr. RAKER. Will not the gentleman let it go to the bottom of the calendar?

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. BORLAND. I object.

SANITARY CONDITIONS IN COMPOSING ROOMS, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18383) to provide better sanitary conditions in composing rooms within the District of Columbia.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That all typesetting, type-casting, and similar machines and apparatus, such as linotype machines, monotype casters, stereotype melting pots, and the like, shall be piped in a proper and efficient manner, so as to effectually carry off the noxious fumes and gases arising during their operation: *Provided*, That exhaust fans, blowers, or other suitable devices shall also be installed when deemed necessary for the purpose of further aiding in the discharge of all deleterious matter from composing and other rooms where any of the above machines may be in operation.

SEC. 2. That it shall be the duty of the health officer of the District of Columbia to inspect the composing rooms of all printing offices within his jurisdiction at least once a year. He shall, in addition to observing that the intent and purpose of this act is carried into effect, order such other changes as he may deem necessary to give proper ventilation to the employees therein. Such orders of the health officer to be complied with within 30 days thereafter. Any failure so to do to be reported by him to the District attorney for prosecution.

SEC. 3. That any person, firm, or corporation found guilty of a violation of, or a failure to comply with, any of the requirements of this act shall be guilty of a misdemeanor, punishable by a fine of \$25 for each and every machine so operated: *Provided*, That each and every day such machine or machines are operated after proper notification by the health officer of the insanitary conditions surrounding them shall be deemed a separate violation and punishable in like manner as the original offense.

SEC. 4. That this act shall take effect three months from the date of its passage.

With the following committee amendments:

Page 1, line 3, after the word "That," insert the words "the melting pots of."

Page 1, line 9, strike out the words "when deemed necessary."

Page 2, strike out all of section 2.

Page 2, line 13, strike out the figure "3" and insert the figure "2."

Page 2, line 17, strike out all of said line after the word "operated" and all of lines 18, 19, 20, and 21 and insert in lieu thereof the following: "; and each day operated shall constitute a separate offense."

Page 2, line 23, strike out the figure "4" and insert in lieu thereof the figure "3."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

THE LATE SENATOR JOHN T. MORGAN.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 196) to authorize the Secretary of War to grant permission to the Southern Commercial Congress to place a tablet at Gamboa, Canal Zone, as a memorial to the late Senator John T. Morgan.

The title of the joint resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, let us have the joint resolution reported.

The SPEAKER. The Clerk will report the joint resolution.

The joint resolution was read, as follows:

Resolved, etc., That permission is hereby granted for the placing of a tablet containing a portrait bust of the late Senator John T. Morgan, with an appropriate inscription, at Gamboa, in the Canal Zone, at such time and under such regulations as the Secretary of War may direct.

With the following committee amendment:

In line 3, strike out the words "for the placing of" and insert in lieu thereof the words "to the Southern Commercial Congress to place."

Mr. MANN. Mr. Speaker, reserving the right to object, I see in the report this statement made concerning Senator Morgan:

It will be universally admitted that but for his persistent, earnest, and able efforts in behalf of the Isthmian Canal there would not be such canal to-day in existence. He was firmly convinced that the Nicaraguan route was the most feasible, but this does not in any way lessen the importance of his efforts, through which, more than anything else, the canal connecting the Atlantic and Pacific Oceans in America was finally constructed and is now in operation.

I assume that as the bill provides the authority to erect a bust on the Panama Canal with an appropriate inscription, those who favor the bill would put on the bust an inscription something like what I have read from the report. I am not willing to admit that that statement in the report is correct. With the highest regard for Senator Morgan and for the work which he did, it is not universally admitted by a long way—that but for his persistent, earnest, and able efforts in behalf of the Isthmian Canal there would not be such a canal to-day in existence.

I do not think it is desirable to give authority to some one to erect an appropriate bust or otherwise with such inscriptions on the canal. If that authority were granted quite generally, we would soon have a large number of these memorial busts along the canal, each claiming that the particular gentleman whose bust was erected was really the author and father of the canal. That would be exceedingly ludicrous.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman from Illinois has finished what he has to say, I desire to say a word if he will yield the time.

Mr. MANN. I will reserve the right to object. The gentleman can take the floor in his own right.

Mr. UNDERWOOD. Mr. Speaker, it is with very deep regret that I have heard the gentleman from Illinois indicate his intention to object to the consideration of this bill. There is no charge on the Government. The Southern Commercial Congress represents the business interests of the Southern States. John T. Morgan was for more than 30 years a typical representative of those States in the Congress of the United States. He was a man whose character was without question, whose loyalty and earnest devotion to his State and to his country entitled him to a place in history and a place in the hearts of his countrymen. The gentleman from Illinois says it is absurd to say that the work of John T. Morgan was not largely responsible for the building of an Isthmian Canal.

Mr. MANN. If the gentleman will yield, I did not make any such statement as that.

Mr. UNDERWOOD. I thought that was the gentleman's statement.

Mr. MANN. Not at all.

Mr. UNDERWOOD. I withdraw it, if I misquoted the gentleman. I did not intend to do so.

Mr. Speaker, I do not hesitate to say that there are several, if not many, great men in this country whose names should be immortal for the work they have done in the building of this canal; but I say that no man has ever been connected with the history of this Government whose work was more continuous and more earnest in behalf of the building of an Isthmian Canal, or the result of whose work was more effective in producing the legislation that ultimately built the canal, than John T. Morgan.

It is true he believed the Nicaragua route was the safest, the best, and the cheapest to be built. When the bill was passed this House, by more than a three-fourths vote, agreed with his position. The House accepted the bill that was finally passed, because it could get no other legislation from the other body.

This gentleman from Iowa, Mr. Hepburn, whose fame will live as long as the canal exists, reported and passed through this House the bill that was advocated by John T. Morgan for building an Isthmian Canal, but it was his insistence that a way should be cut for the passage of the ships through the Isthmus that agitated the American people, that created a sentiment from one coast to the other for the building of this canal. And now I say for the Congress of the United States to deny his own people, who ask nothing of the Government, the right to place a tablet at this canal and record on it the work that he had done in the past connecting the two oceans together in the interest of the commerce and trade of the world, is most unfortunate, and I shall regret most deeply if the distinguished gentleman from Illinois exercises his privilege to defeat this bill.

Mr. MANN. Mr. Speaker, I have always had, since I knew anything about him, the greatest admiration for Senator Morgan and for the work which he did in reference to an Isthmian Canal. It is undoubtedly true that his constant effort on the subject had great weight and effect; but it is not correct, in my judgment, to say that but for him there would have been no canal. He was not the only one; he was not the originator at all of the idea that the Government should construct the canal. That is the only way it ever would be constructed. Senator Morgan from the start was insistent upon doing something for the Nicaragua Canal Co., which had a concession. That was the way he thought the canal ought to be constructed. He was strongly in favor of the Nicaragua route and against the Panama route. In that I always agreed with him, and I do yet. But I am unwilling, if I can prevent it, to let some one start in by erecting busts or tablets containing inscriptions along the line of the Panama Canal, claiming that a particular person was the author or the father of the plan.

Mr. UNDERWOOD. If the gentleman will allow me, I know of no intention on the part of the people who intend to erect the tablet to say that he was the father of it. The bill says that they may erect this tablet with a suitable inscription on it, and, of course, that inscription must have the approval of the Secretary of War. I know of no intention on the part of the people to claim that John T. Morgan alone was responsible for building the canal. He undoubtedly is entitled to great credit for the work that he did. He was undoubtedly among the foremost men of those who created a sentiment in the United States for the legislation that was ultimately passed, and I think the gentleman from Illinois is not justified in claiming that these people propose to erect a tablet claiming all the credit for Senator Morgan, because I am sure they do not.

Mr. MANN. I read from the report on this bill, and I have no doubt the report shows the line along which the committee think the proper inscription should be written. Of course, I appreciate the fact that it is highly desirable that the people in Alabama, which State Senator Morgan so long and so ably represented, should believe that he was the one who did the work, and yet there are other points of view without any reflection upon the work that he did do.

Mr. UNDERWOOD. I have just stated to the gentleman that neither I nor anyone else claim that Senator Morgan did all the work. History and time itself will give him the place that he is entitled to for the great work he did, and I do not think this Congress should withhold the mere privilege from his own people of placing a tablet at the Canal Zone and let future generations know that they believe in the man and the work he did.

Mr. MADDEN. Mr. Speaker, I would like to make this suggestion: That the sentiment to be placed on the table or monument, or whatever it may be, should be in the bill.

Mr. UNDERWOOD. I have no objection to that; but I do not propose to advocate a bill which would violate the proprieties of any occasion. As to the Congress dictating who is entitled to the greatest credit, the people of the United States will find that verdict, and nobody in building a monument can find the verdict for them.

Mr. MANN. I suppose if the bill passes it would not be long before we should have a variety of portrait busts, with inscriptions, along the line of the canal that would rival the "Chamber of Horrors" right here behind us.

Mr. DENT. Will the gentleman yield?

Mr. MANN. Yes.

Mr. DENT. I want to ask the gentleman from Illinois, if the objectionable sentence which he read in the report was stricken out by unanimous consent, there being nothing in the bill on this subject, it would relieve his objection to the bill?

Mr. MANN. I think that is the kind of appropriate inscription that the Southern Commercial Congress would think was proper to be placed upon the bust. I do not think that is correct history.

Mr. GREENE of Vermont. Mr. Speaker, I might say now, if it will shorten this debate, that I shall object to the consideration of the bill under any circumstances.

Mr. NORTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from North Dakota objects, and the bill will be stricken from the calendar.

GRANTING LANDS TO SCHOOL DISTRICT NO. 44, CHELAN COUNTY, WASH.

The next business on the Calendar for Unanimous Consent was the bill (S. 4146) granting certain lands to school district No. 44, Chelan County, Wash.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted to school district No. 44, Chelan County, State of Washington, 1.77 acres in lot 3, section 13, township 27 north, range 16 east, Willamette meridian, more particularly described as follows: Beginning at the corner No. 1 of the tract of land to be described, which is a stone marked "S. H.-44," from which the quarter corner between sections 13 and 14, same township, bears north 450 feet, thence south 62 east 418 feet to corner No. 2, thence south 209 feet to corner No. 3, thence north 62 west 418 feet to corner No. 4, thence north 209 feet to corner No. 1, the place of beginning, being the same as now used and occupied by said district for public-school purposes, and the Secretary of the Interior is hereby authorized and directed to issue patent for said lands to said school district.

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I ask that this bill go over without prejudice, as I do not see the author of the bill here.

Mr. FERRIS. Mr. Chairman, will not the gentleman reserve his objection and his request? This only affects 1.7 acres, and the gentleman may not be able to get the bill up again.

Mr. MADDEN. Mr. Speaker, I withdraw the request.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was ordered to be engrossed, and read a third time, and was accordingly read the third time, and passed.

LEASING OF UNPATENTED OIL OR GAS LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5434) authorizing the Secretary of the Interior to grant permits to the occupants of certain unpatented lands on which oil or gas has been discovered, and authorizing the extraction of oil or gas therefrom.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether since we embodied this provision in the omnibus bill the Supreme Court or any other court has passed upon the cases which were pending in which these lands were involved?

Mr. CHURCH. Mr. Speaker, I will say to the gentleman from Wisconsin that it has not.

Mr. MADDEN. Mr. Speaker, I object to the consideration of the bill.

Mr. CHURCH. Mr. Speaker, I hope the gentleman will withhold his objection for a moment, until the matter has been considered somewhat.

Mr. MADDEN. Mr. Speaker, several gentlemen seem to desire to discuss the bill, and I reserve the objection.

Mr. MONDELL. Mr. Speaker, would the gentleman have any objection to the bill going over without prejudice?

Mr. MADDEN. I would not. I would be very glad to agree to that.

Mr. MONDELL. Mr. Speaker, it is rather important that this legislation be enacted at this session of Congress. The session is so near to a close that it is quite certain that general legislation on the subject will not be had; and there are quite a number of cases in California and some in Wyoming that would be affected by this legislation, where relief is needed. The provision is that where a claimant for a patent desires to surrender his right to a patent he may, in lieu of the patent, secure the opportunity to lease not to exceed 640 acres. I do not understand why there should be any objection to the passage of the bill. The House has already adopted this provision in the general leasing law.

Mr. MADDEN. Then why do they want this at this time?

Mr. MONDELL. Because the general leasing bill, along with other meritorious legislation, is not very likely to be enacted at this session of Congress. It is now before the Senate, and this is only a fragment of that legislation—an effort to pass a bill that covers those cases that require immediate relief.

Mr. MADDEN. Does not the gentleman think the bill is too important to consider by unanimous consent?

Mr. MONDELL. But the bill has been fully considered by the House and has been approved by the House.

Mr. MADDEN. It will probably have to be considered again at the extra session.

Mr. MONDELL. Not this feature of it, if we provide for it here. It affects only a comparatively few cases; but those cases are important to the industry of the region in which they are located. In my own State, I will say to my friend, we have an oil field whose development just now is very greatly hampered and restricted by reason of the fact that there are some of these entries that are under contest.

Mr. MADDEN. Was the gentleman in favor of this provision in the law, which he said passed the House, for leasing public lands for any purpose?

Mr. MONDELL. Mr. Speaker, I offered it as an amendment and it was adopted. That would indicate, I think, that I favored it. There was some discussion in respect to it, and I will ask the chairman of the Committee on Public Lands, the gentleman from Oklahoma [Mr. FERRIS], if his recollection is the same as mine—that the amended bill as we now have it before us is not in exactly the same language as the amendment adopted to the general leasing bill?

Mr. FERRIS. I think it is identical, and the gentleman from California [Mr. CHURCH] says that it is word for word. I have not compared it myself. The situation is this: We had two relief bills here—one for the relief of some phosphate lands in Idaho, offered by the gentleman from Idaho [Mr. FRENCH], and this bill that the California and Wyoming people were interested in. By tacit agreement we put both of those bills on the general leasing bill. That bill went to the Senate with these two amendments upon it, and, as the House knows, the Senate is blocked and is not passing anything. Consequently this bill will probably not get through.

Mr. MONDELL. Has not the House since allowed by unanimous consent the passage of the phosphate bill?

Mr. FERRIS. I was just about to add that two weeks ago, perhaps four—in any event on one unanimous-consent day—the Idaho bill for the relief of those parties was brought up by unanimous consent and passed. I expressed the hope at that time, and I express the hope now, that this bill be passed. It does not affect anybody in my State, but all winter long, and for the last year, people from California and Wyoming have journeyed away across the continent at great expense to themselves to urge the Congress to help them out, and I think we will get a chance to get some royalty and some leases out of a very badly mixed-up situation. I think the House ought to do it.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I do; but I have not the floor.

Mr. MADDEN. Will the gentleman from Wyoming yield, so that I may ask a question?

Mr. MONDELL. Yes.

Mr. MADDEN. If this bill is passed, would it not legislate several cases out of the courts?

Mr. FERRIS. No; I think not. The trouble arose over this by reason of making the placer law applicable to oil lands. I never have thought the placer law should be applied to oil; I do not think it fits; and recent developments show that it does not fit. I think this will allow these parties that are trying to get title—

Mr. MANN rose.

Mr. FERRIS. I wish the gentleman would permit me to proceed.

Mr. MANN. The gentleman ought not to proceed too long along that line, because the gentleman is slightly in error.

Mr. FERRIS. What is the error?

Mr. MANN. These cases do not involve a distinction between the placer and the lode mining laws.

Mr. FERRIS. I was not stating that—

Mr. MANN. That is what the gentleman did state.

Mr. FERRIS. No; I was not stating that; I was stating—

Mr. MONDELL. The gentleman from Oklahoma suggests the difficulty arose because we applied the placer law to oil lands. I do not think that is quite accurate; but having applied it, there are certain questions in regard to withdrawals.

Mr. FERRIS. Let me follow up with the gentleman from Illinois [Mr. MADDEN]. This bill merely allows these people to surrender their opportunity to get a patent under that law and take out a lease and pay royalty to the Government. Now, the House, by an almost unanimous vote, committed itself to the proposition last summer that we should get for the Government some royalty out of these oil lands. This will make it uniform; this will allow the Government to get something now where in all probability they will not get it under the other law. The oil people—a great many of them—feel they are losing a good deal by being compelled to take this; but they want to get their fat out of the fire; they want to get their cases tried; they want to get their peace of mind and go ahead with their business.

Mr. MADDEN. Suppose this legislation should be enacted into law, what effect will that have on the litigation now pending?

Mr. FERRIS. The gentleman means the litigation in the Land Office?

Mr. MADDEN. In the Supreme Court.

Mr. FERRIS. These cases are pending in the Land Office, which this bill remedies. They are trying to get title to land, but they were held up for one reason or another, and they were held up in getting their patents. They now no longer seek patents but are willing to relinquish and take leases instead of a patent, and this bill gives them the right to do that.

Mr. MADDEN. I think I shall have to object. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken—

Mr. MONDELL. Will the gentleman consent to this bill being passed without prejudice?

Mr. MADDEN. I am willing to let it go over without prejudice; yes.

The SPEAKER. The gentleman asks unanimous consent that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

RIGHT OF WAY FOR PIPE LINE AND RESERVOIR, LINCOLN NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (S. 2278) granting the El Paso & Rock Island Railway Co. a right of way for its pipe lines and reservoir upon the Lincoln National Forest for the carrying and storage of water for railroad purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I glean from the report there are some suits pending concerning these water rights now exercised by this railroad company which are being contested by the Government.

Mr. YOUNG of Texas. Yes; there are some such suits. The bill specially provides that this legislation shall not in any manner affect the merits of this litigation. That provision was put in at the instance of the Department of Justice.

Mr. STAFFORD. Yet it might affect the merits of this litigation. Will not the passage of this bill supersede and obviate the necessity of the further prosecution of that case?

Mr. YOUNG of Texas. Oh, I do not know that necessarily it would.

Mr. STAFFORD. Is not the very purpose of this bill to grant this railroad company rights which to-day they have not?

Mr. YOUNG of Texas. No; that is not the purpose involved. There have been some controversies about pipe lines running across the forest reservation. A permit was issued by the Department of Agriculture, and one of the other departments raised some controversy about it. This is the only pure water the railroad can get for miles and miles, and they have gone to hundreds of thousands of dollars of expense, and they find this water on top of the mountain there, and it is the only water they can use that will run the machinery without being very deleterious and destroying the machinery. The water question is a very important question to-day in that particular section, and this bill was introduced and passed through the Senate so as to eliminate this controversy that had arisen between the departments, and the Government is protected in every way in the world.

Mr. MONDELL. Will the gentleman from Texas yield for an inquiry?

Mr. YOUNG of Texas. Yes.

Mr. MONDELL. Has this railroad company ever attempted to secure this right of way under the act of 1905 that authorizes the use of a right of way for water for domestic purposes?

Mr. YOUNG of Texas. As far as I know, that act does not go far enough to embrace railroads.

Mr. MONDELL. Well, it might go far enough to embrace water for the purposes for which a railroad uses water.

Mr. YOUNG of Texas. I understand that act covers mining companies and municipalities, and I do not think it extends far enough to give railroads protection.

Mr. STAFFORD. Why has not this bill been submitted to the department for their views?

Mr. YOUNG of Texas. It has been so submitted.

Mr. STAFFORD. There is nothing in the report which shows that it has.

Mr. YOUNG of Texas. The Secretary of Agriculture's communication was before the committee, and it shows that there is no objection to this legislation. There were quite extensive hearings in the Senate, and in fact the real hearings were had over there.

Mr. STAFFORD. Why was it not embodied in the report, so that Congress might have the views of the department on such a bill?

Mr. YOUNG of Texas. The gentleman will find that information in the hearings before the Senate committee on this same proposition.

Mr. STAFFORD. The gentleman knows that these hearings before the various committees are not easily available to Members. There is no mention here of any such hearings.

Mr. YOUNG of Texas. That is true; but quite extended hearings were had, and I will say to the gentleman I took this matter up with representatives from that section of the country who had the bill passed through the Senate. It is purely a local matter to that section of the country, but it is a matter of great importance to this railroad company.

Mr. STAFFORD. Mr. Speaker, I have no objection to this bill being passed without prejudice, and in the meantime the gentleman can have a supplemental report in which may be contained the ideas of the department, but where there is litigation on a question which is at issue, and where a bill seeks to overcome the litigation, I think we ought to have the views of the department concerning it.

Mr. YOUNG of Texas. Mr. Speaker, I will ask that the bill be passed without prejudice and that it retain its place on the calendar.

The SPEAKER pro tempore (Mr. RAKER). The gentleman from Texas asks unanimous consent that this bill be passed without prejudice and that it retain its place on the calendar. Is there objection? [After a pause.] The Chair hears none.

COPYRIGHTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21137) to amend section 23 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MORRISON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The bill will be stricken from the calendar. The Clerk will report the next bill.

TRADE-MARKS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16098) revising and amending the statutes relative to trade-marks.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. HOWARD. Mr. Speaker, I object.

WATER SUPPLY OF NEVADAVILLE, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I would like to inquire why this municipality does not avail itself of the privilege of the general act of February 1, 1905.

Mr. FERRIS. The gentleman from Colorado [Mr. KEATING] is here. He is familiar with these Colorado matters, and will answer questions on the bill. The gentleman from Colorado [Mr. TAYLOR] is sick in bed, and could not attend the session to-day.

Mr. KEATING. I will say to the gentleman that Nevadaville is a small mining town, and this bill affects only 17 acres.

Mr. STAFFORD. I am aware of that fact.

Mr. KEATING. And that land is needed to protect this water supply.

Mr. STAFFORD. Although the report of the Assistant Secretary says that it affects 17,399 acres, a clear reading of the bill says that it affects only 17 acres.

Mr. KEATING. That is a typographical error. There should be a period inserted after the figures "17" instead of a comma.

Mr. STAFFORD. The bill says it is only 17 acres. The report carries the impression, by reason of the typographical error, that it is 17,399 acres.

Mr. SELDOMRIDGE. Mr. Speaker, I hope the gentleman will not object.

Mr. STAFFORD. My original question was, Why does the municipality not avail itself of the privilege under the law of 1905?

Mr. SELDOMRIDGE. I suppose this land is included in the forest reserve. The Government has been unwilling to allow them to take any land included in a forest reserve.

Mr. STAFFORD. Under the law of 1905 they are privileged to grant a right of way over and through a forest reserve.

Mr. KEATING. As the officials of the town presented this matter, they insisted it was necessary for them to have a clear title to this tract of land in order that they might put in a water system and issue some bonds.

Mr. STAFFORD. Although my question has not been answered, inasmuch as it involves only a small quantity of land, I will not object.

Mr. KEATING. Thank you.

Mr. MANN. I notice that section 2 says—

That within one year after the survey of the foregoing-described property proposed to be granted to the town of Nevadaville said town may purchase said land by paying the amount prescribed in section 1 hereof, and the Secretary of the Interior is authorized and directed to cause the same to be patented to said town.

This property has not yet been surveyed, I believe.

Mr. KEATING. Apparently not.

Mr. MANN. And under this authorization the town is to pay for the survey?

Mr. KEATING. Yes.

Mr. MANN. Suppose it did not put in any money for the next 25 years? The authorization would still stand. Nothing else could be done with the property, and they would have the right within one year after the survey to purchase it. They would practically have purchased it when the bill passed. Now, does not the gentleman think there ought to be some limitation of time in which the survey should be made?

Mr. KEATING. I am perfectly willing to accept any limitation the gentleman suggests, because it is the intention of the town officials to carry out the transaction just as soon as possible.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the town of Nevadaville, a municipal corporation of the State of Colorado, is hereby granted the right to purchase the public lands situate in the county of Clear Creek, Colo., described as follows: Beginning at corner No. 1, from which corner the south one-fourth corner section 32, township 2 south, range 73 west of the sixth principal meridian; bears north 65° 8' 12" east 7,227.7 feet; thence south 46° 46' east 681 feet to corner No. 2; thence south 43° 14' west 175 feet to corner No. 3, from which corner No. 3 corner No. 1 of survey No. 16,380 bears south 70° 22' east 223 feet; thence south 46° 23' east 2,004.97 feet to corner No. 4; thence south 64° 22' east 730 feet to corner No. 5, from which corner the south one-fourth corner section 32, township 2 south, range 73 west sixth principal meridian, bears north 36° 33' 21" east 6,719.17 feet; thence south 52° 55' west 256 feet to corner No. 6, from which corner No. 6 corner No. 1 of survey No. 19,015 bears south 60° 50' east 113.6 feet; thence north 61° 18' 43" west 675.23 feet to corner No. 7; thence north 44° 59' west 2,095.1 feet to corner No. 8; thence south 43° 14' west 175 feet to corner No. 9; thence north 46° 46' west 681 feet to corner No. 10; thence north 43° 14' east 500 feet to corner No. 1, the place of beginning; all of said land being situate in un subdivided township 3 south, range 73 west of the sixth principal meridian (the survey of said land being bounded at its corner with rock monuments chiseled "N1, N2, N3, N4, N5, N6, N7, N8, N9, N10," consecutively), and containing 19,474+ acres, of which 2,075 acres under survey No. 16,380 are in conflict, leaving a total of 17,399 acres, more or less, upon the payment of \$1.25 per acre by said town to the United States.

Sec. 2. That within one year after the survey of the foregoing-described property proposed to be granted to the town of Nevadaville, said town may purchase said lands by paying the amounts prescribed in section 1 hereof, and the Secretary of the Interior is authorized and directed to cause the same to be patented to said town.

Sec. 3. That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above described premises, or any part thereof, and now existing under and by virtue of the laws of the United States or of the State of Colorado: *Provided*, That there is reserved to the United States all gas, oil, coal, and other mineral deposits and the right to prospect for, mine, and remove the same: *And provided further*, That the cost of the survey, mentioned in section 2 of this act, shall be paid by the said town of Nevadaville: *And provided further*, That in the event said lands are ever abandoned and not used for municipal purposes all right, title, and interest therein to be conveyed to the said town of Nevadaville by this act shall be forfeited and the same shall revert to the United States.

Mr. MANN. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 3, line 22, after the word "Nevadaville," insert the words: "And within two years after the passage of this act."

Mr. MANN. That is in order to save time.

Mr. KEATING. I want to make this suggestion to the gentleman from Illinois. It has just occurred to me that the situation in the Senate is such that I am afraid we will never get the Senate to concur in the proposed amendment on account of the parliamentary situation there. I have absolutely no objection to the amendment. It seems to me the survey would have to be ordered by the Secretary of the Interior, and that he could fix the time when the survey should be made.

Mr. MANN. He can not survey it until the town puts up the money. They might not put up the money under this bill for 50 years.

Mr. KEATING. My only objection is that it might be tied up in the Senate.

Mr. MANN. That applies to so many bills—

Mr. KEATING. But this is such a small matter. However, we will take our chances.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

INTERNATIONAL CONGRESS OF EDUCATION.

The next business on the Calendar for Unanimous Consent was the House joint resolution 273, requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

The SPEAKER pro tempore. Is there objection to consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to invite foreign Governments to appoint honorary vice presidents and otherwise participate in the International Congress on Education, to be held at Oakland, Cal., August 16 to 27, 1915, in connection with the Panama-Pacific International Exposition: *Provided*, That no appropriation shall be granted at any time hereafter in connection with said congress.

Mr. J. R. KNOWLAND. Mr. Speaker, the Senate joint resolution 187 having passed the Senate, I ask unanimous consent to discharge the Committee on Foreign Affairs from further

consideration of the House joint resolution and take from the Speaker's table Senate joint resolution 187.

The SPEAKER pro tempore. The gentleman from California [Mr. J. R. KNOWLAND] asks unanimous consent to discharge the Committee on Foreign Affairs from the further consideration of House joint resolution 273 and consider Senate joint resolution 187 in lieu of the House resolution. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, can the gentleman give us some information in regard to this?

Mr. MANN. This is similar to the resolution which the gentleman from Pennsylvania had in reference to the International Educational Congress to be held at Philadelphia.

Mr. LOGUE. Which was to be held last September, but which was called off on account of the war.

Mr. MOORE. And it is to be held in San Francisco?

Mr. J. R. KNOWLAND. In Oakland, Cal.

Mr. MOORE. I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. CLINE. Reserving the right to object, Mr. Speaker, I would like to inquire of the gentleman from California if this Senate resolution provides for an appropriation?

Mr. J. R. KNOWLAND. No. It is the identical bill. No appropriation is contained in it.

Mr. MANN. Let us have the Senate joint resolution read, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Resolved, etc., That the President of the United States is hereby authorized and requested to invite foreign Governments to appoint honorary vice presidents and otherwise participate in the International Congress on Education, to be held at Oakland, Cal., August 16 to 27, 1915, in connection with the Panama-Pacific International Exposition: *Provided*, That no appropriation shall be granted at any time hereafter in connection with said congress.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I would like to be recognized for a moment.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Illinois for five minutes.

Mr. MANN. No; I am recognized for one hour, but I shall not consume it. Was this International Congress on Education held at Philadelphia?

Mr. MOORE. No; it was not held.

Mr. LOGUE. It was called off on account of the European war.

Mr. MANN. Then all the labor that the two gentlemen from Pennsylvania performed last summer was of no avail and went for naught?

Mr. MOORE. The bill was passed.

Mr. LOGUE. It was called off.

Mr. MANN. A great deal of time was spent on that. Does my friend from California [Mr. J. R. KNOWLAND] understand that it really will be held at Oakland this year?

Mr. J. R. KNOWLAND. I have been advised by numerous telegrams that the people of Oakland will be, as they always have been, ready for the entertainment of their guests.

Mr. MANN. I understand that there are somewhere between 117 and 170 different conventions and congresses, and so forth, to be held at the Panama-Pacific Exposition during the coming summer. Where will the delegates come from? Certainly the European nations at war will not be sending delegates to this international congress.

Mr. J. R. KNOWLAND. Oh, I think there will be some. There will be a good many from the United States, and, I think, some foreigners will be able to attend. All the nations are not at war.

Mr. MANN. Does the gentleman know whether each one of these congresses is going to ask the Congress to authorize the President to invite representatives of each of the nations of the world to attend each congress at the expense of the delegates and not at the expense of our Government?

Mr. J. R. KNOWLAND. I think that is specifically stated in the resolution.

Mr. MANN. I know about this one, but I am trying to get information as to the others.

Mr. J. R. KNOWLAND. Congress is within 16 days of closing, and I do not think there will be much opportunity afforded for passing other resolutions of this character.

Mr. MANN. Well, as soon as this resolution in the House was restored to the calendar recently, it having been stricken from it by mistake some time ago, I received several communications from different portions of the country in reference to

other congresses, with suggestions that other international congresses would also like to have the President invite delegates from foreign countries to attend those congresses. I think the people who sent the letters to me did not know, perhaps, that this resolution provided that the delegates should come at their own expense. Maybe that makes a difference.

Mr. KENT. Mr. Speaker, will the gentleman yield to me a moment?

Mr. MANN. Certainly.

Mr. KENT. In reference to the gentleman's question as to the possibility of people going there, I received a letter from one of the big universities of California in which the writer stated that he considered this as very important, inasmuch as he expected a great many people to come from Europe.

Mr. MANN. I do not object now to this as it comes toward the end of Congress, and as the gentleman from California [Mr. J. R. KNOWLAND], from the Oakland district, suggests, there is not very much time for all the others to make a request. I never have believed, and do not now believe, in having the Government of the United States invite people to attend something at their own expense.

Mr. J. R. KNOWLAND. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. J. R. KNOWLAND. I think we did at the Chicago Exposition in 1893.

Mr. MANN. Well, I know that the gentleman does not know, and I myself do not know whether they did or not.

Mr. J. R. KNOWLAND. The report so states.

Mr. MANN. Well, the report was written by a gentleman who did not know. I think the Government entertained quite a good many people at the Chicago Exposition, invited from abroad; and if the gentleman has any doubt about that, I will refer him to the gentleman from New Jersey [Mr. TOWNSEND], who, in one of his "Chimmie Fadden" articles positively asserts, in a very humorous manner, that that was the case.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

Mr. MANN. Now, Mr. Speaker, I ask unanimous consent that House joint resolution 273 be again stricken from the calendar and laid on the table.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next one.

GRANT OF CERTAIN LANDS TO GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19116) to grant certain lands to the city of Grand Junction, Colo., for the protection of its water supply.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the city of Grand Junction, in the county of Mesa and State of Colorado, section 34, township 12 south, range 97 west of the sixth principal meridian, in said county and State, to have and to hold said lands for the purpose of the protection of the head gate of the water-supply pipe lines and waterworks system of said city: *Provided*, That the said city of Grand Junction shall pay for said lands or such portions thereof as it may need for said purpose at the rate of \$1.25 per acre: *And provided further*, That the grant hereby made is, and patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises or any part thereof and now existing under and by virtue of the laws of the United States.

With a committee amendment, adding the following proviso:

Page 2, line 4, change the period to a colon and add the following: *Provided*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted, and all necessary use of the lands for extracting the same: *Provided further*, That the lands hereby authorized to be purchased as hereinbefore set forth, and all portions thereof, shall be held and used by or for the said grantee for the purpose herein specified, and in the event the said lands shall cease to be so used they shall revert to the United States, and this condition shall be expressed in the patent to be issued under the terms of this act: *And provided further*, That the grant herein contained shall not be construed to deprive the public the right to continue the use of what is known as the Kannah Creek trail across said land.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. FERRIS. Mr. Speaker, the bill is on the Union Calendar. I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. I object. I have some amendments to offer.

Mr. FERRIS. Then, Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19116, objection having been made.

The SPEAKER pro tempore. Is there objection to the consideration of the bill in the Committee of the Whole House on the state of the Union?

Mr. MANN. I objected. A motion is pending.

Mr. FERRIS. I made the motion, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. FERRIS] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 19116. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOSTER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19116, with Mr. FOSTER in the chair.

The CHAIRMAN. The Clerk will report the bill.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill. It was read a moment ago.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. MANN. Will the gentleman explain this bill a little more fully?

Mr. FERRIS. I will give the gentleman the explanation that I have. It simply authorizes the city of Grand Junction to buy 640 acres of unoccupied, rough, hilly land at \$1.25 an acre, the usual Government price, for the purpose of protecting the water supply of the city. The bill was referred to the department, and the department made a favorable report on it, and the committee made a unanimous report. I will say, parenthetically, that the author of the bill is sick to-day and is not here.

Mr. MANN. That is one reason why we did not object to the consideration of it. If he had been here he would have excited opposition.

Mr. FERRIS. The gentleman from Colorado [Mr. SELDOM-RIDGE] is here, however, and he can perhaps respond to any question the gentleman may wish to ask.

Mr. MANN. I do not care especially to ask the gentleman from Colorado about the bill. I should like to ask the gentleman from Oklahoma. We have passed so many of these bills, I should like to ask the gentleman is there no way under which the town can make a purchase of Government land?

Mr. FERRIS. Under the act of 1905 they can procure rights of way, but there is no general act under which they can buy land for watershed purposes, and each case has to stand on its own bottom apparently. Some one raised that question in the committee a short time ago, and suggested that we ought to pass a general act. It was our thought that the calendars were congested with about 400 bills and that a bill of that kind would probably provoke discussion and debate, and we felt unwilling to bring that up in the House.

Mr. MANN. Could not anybody take possession of the land?

Mr. FERRIS. Anybody could enter it if he wanted to. It is open to homestead entry.

Mr. MANN. How could an individual obtain it under existing law?

Mr. FERRIS. If the gentleman from Illinois and myself were clothed with homestead qualifications, we could go out and homestead the land and acquire title to it, and then probably hold the city up afterwards.

Mr. MANN. It is unfair to make that statement. Neither the gentleman from Oklahoma nor myself would hold up the city. Other people might do it. We are exempt from such a charge.

Mr. FERRIS. I was merely using the gentleman from Illinois and myself for an illustration, for the moment.

Mr. MANN. I might hold up the city, but I am sure the gentleman from Oklahoma would not.

Mr. FERRIS. I bow in reverence to the gentleman from Illinois.

Mr. MANN. There are a great many who would attempt it, of course.

Mr. FERRIS. That is true.

Mr. MANN. Is there no other way of obtaining title to this land except by homestead entry?

Mr. FERRIS. If this was desert land they could make a desert entry on it and then buy it, but in order to do that they would have to show that it was irrigable, and then put water on it.

Mr. MANN. Can you not obtain desert land until you can show that it is irrigable?

Mr. FERRIS. No; and you actually have got to put the water on it before you can get it.

Mr. MANN. They could put water on it, I suppose. That is what this is for, to maintain the water supply, or a water reservoir. There is a water pipe that will run through it, is there not?

Mr. FERRIS. The gentleman knows that the rainfall is very slight up there, and they must have a large area to catch the snow that falls in the winter. I know that the House has been to the trouble of considering a good many bills of this kind, and no doubt it is annoying to the gentleman from Illinois to have them come up continually.

Mr. MANN. I will say that nothing in the way of legislation ever annoys me. I take it as it comes.

Mr. FERRIS. The thought I was trying to leave was this, that these lands have no value for homestead purposes. They have no value as desert-land claims. They have no value for anything on earth, as I believe, other than they may have some mineral under them, or that they may be used to protect the watersheds of these cities, so that they may have pure water.

Mr. MANN. As I understand, this bill is for the purpose of retaining this land as a watershed, to furnish pure water to this city.

Mr. FERRIS. I so understand.

Mr. MANN. And yet it contains a provision that a trail shall continue across the land for the purpose of having cattle travel over it. It does not seem to me that would be very appropriate for a 640-acre watershed, to leave it so that the ranchmen in that country could run their cattle over it. That would not be my idea of pure water.

Mr. FERRIS. I confess there is very much force in what the gentleman says. Still it is better to have one road across it than it would be to have people camp on it and hold their cattle on it overnight. The report also states that they have a caretaker. The city of Grand Junction is under the commission form of government, and it has a caretaker who can look after it without additional expense. While the gentleman from Colorado could tell better than I, it is probably some old trail that they would have trouble about if they should close it up. There are many mountain passes up there that must be preserved. I think they can handle a local matter of that kind. It is worthless land. They want it; they need it. Pure water is always important.

Mr. SELDOMRIDGE. While I am not personally acquainted with the land in question, I know that Grand Junction has constructed its waterworks at some distance from the city, and these lands are evidently located several miles, perhaps 10 or 15 miles, away from the city. The trail probably leads up through the canyon to a place otherwise inaccessible, so that it is necessary to preserve this convenient means of travel to the section of country that is reached by it. The purpose of getting the land, as I understand it, is to furnish protection to the water supply and allow the city to exercise police power over the land.

Mr. MANN. I can not understand how it will furnish protection to the water supply to have 640 acres of land, over which there is a cattle trail, where large numbers of cattle are constantly passing. That is to me a queer idea.

Mr. SELDOMRIDGE. Probably the city does not want to interfere with the only route of travel that exists.

Mr. MANN. I suspect that the city does want to interfere.

Mr. SELDOMRIDGE. The bill will leave the trail open.

Mr. MANN. Yes; but that is one objection to the bill. What sense is there in giving to a city the right to 640 acres of land for the purpose of letting it have pure water and at the same time provide for a cattle trail over it?

Mr. SELDOMRIDGE. It is not exactly a cattle trail.

Mr. MANN. I imagine it is for the purpose of accommodating some private persons.

Mr. SELDOMRIDGE. The gentleman would not want to discontinue the only possible route for travel in going into the mountains with pack animals, would he? This trail would bear the same relation as a public road in a narrow canyon.

Mr. MANN. If there could not be a trail put anywhere else, the gentleman's remarks would be fully appropriate; but that is what I want to know.

Mr. SELDOMRIDGE. I think that is the condition.

Mr. MANN. The bill as introduced did not provide for any such exemption. I suppose somewhere some stockman kicks because he does not want to go around half a mile farther with his stock. I should say that the protection of the water supply of a city like Grand Junction was of more importance than the convenience of some stockman.

Mr. SELDOMRIDGE. Has the gentleman read the report?

Mr. MANN. Oh, yes; I have read the report.

Mr. FERRIS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FERRIS. I know the gentleman is always right, and he probably has his powder dry in this instance; but where did the gentleman get the idea that this is cattle trail?

Mr. MANN. The report on page 2 says:

It appears to your committee that for some 25 years past certain stockmen and ranchmen have constructed and used a trail extending from the valley below up to the highlands beyond and across a portion of this land.

Mr. FERRIS. That is sufficient.

Mr. MANN. I would like to ask one further question. I suppose it is the intention, probably, of the city to purchase the entire 640 acres, but the bill provides—

That the said city of Grand Junction shall pay for said lands, or such portions thereof as it may need for said purpose, at the rate of \$1.25 per acre.

Should they not pay for the entire 640 acres within some limit of time?

Mr. FERRIS. I think so. I do not know whether the land has been surveyed or not.

Mr. MANN. It must have been surveyed or they could not describe it as section 34, township 12 south, range 97 west of the sixth principal meridian.

Mr. FERRIS. I do not know what the facts are about that, but if the gentleman has an amendment he wishes to offer I do not think the gentleman from Colorado [Mr. TAYLOR] would object to it.

Mr. MANN. I expect to offer an amendment striking out, commencing in line 11, page 1, the words "or such portions thereof as it may need for said purpose," and then insert after the word "shall," line 11, the words "within [stating the time] from the passage of this act."

Mr. FERRIS. I feel sure that there will be no objection to that.

Mr. MONDELL. Mr. Chairman, this legislation should be had. It is regrettable that we have not some general legislation on this subject. As I understand it, the Committee on the Public Lands has had under consideration for some time general legislation on the subject. I think such a bill was reported out at one time, but for some reason or other it was not passed.

Mr. Chairman, I feel like protesting against the restrictions we place around transfers to municipalities of land of the character of this description. This tract, as I understand, is very rough, mountainous land, through which a deep canyon runs. It has a little brush on it and, probably, is not worth more than the price fixed—\$1.25 an acre—if it is worth that. It has never been considered valuable enough to tempt anyone to homestead it. The probability is that no portion of it is fit for cultivation; it is just a scrubby, brushy canyon-cut mountain-side. We are selling it to a municipality, to a collection of American citizens who are going to hold it in their collective capacity, and yet we throw as many restrictions about it as if we were proposing to sell it to some grasping corporation that we thought was going to utilize it for the purpose of holding up the community.

We first provide that if, perchance, any minerals shall be found they shall be reserved to the United States. Now, in all probability the land does not contain any minerals. I assume that no one has ever suggested that it contains minerals. So this reservation is entirely superfluous; but it has this effect: We are granting land which is to be used for the protection of the water supply, in order that the city may keep trespassers off the tract and protect it, to prevent pollution of the water supply, and we place in the law a provision which invites trespassers, invites evil-intentioned persons to go on the tract ostensibly for prospecting after any or every sort of mineral, going up there and camping under pretense of prospecting, and liable to commit all sorts of depredations under the pretext of prospecting, if they are so disposed.

If we were disposing of this land to an individual, there might be some excuse for this mineral reservation. As a matter of fact, there is probably no excuse for mineral reservation even in such a case, because the lands contain no minerals, as far as anybody knows. The geological formation is such that there

is not the remotest probability of any mineral being found under the surface. But dealing with American citizens collectively, a municipality, for the purpose of enabling them to protect their water supply, we insist on reserving all kinds and sorts of minerals, as though they actually might sometime be found, and by so doing we invite every person who in good faith may seek to prospect, every blackmailer, every person who for any reason might desire to go on the lands under pretense that they were prospecting, to interfere with the protection of the water supply.

Then, although the land is worthless, simply a square mile serving to hold the surface of the earth together, made up of brush, canyon, and rock of no value—nobody wants it, nobody has homesteaded it—if the city shall not use it for these particular purposes we propose to take it back, not that we have any use for it, not that we know that anyone will ever want it or desire it or have any particular reason for utilizing it, but if the city shall not use it for this particular purpose, for the protection of its water supply, we propose to take it back. We throw around a grant of this kind—of rocky, brushy hillside—more regulations and provisions which may be harmful, in disposing of it to a community in its community capacity, than would be necessary were we disposing of something that really might become very valuable to some grasping corporation that might use the values for the purpose of holding up the community.

Mr. CHAIRMAN, I realize that the gentlemen on the Committee on the Public Lands understand that only by inserting all of these reservations and provisions with regard to the extinguishment of the title for nonuse can legislation of this kind be gotten through the House. I presume they are probably correct in their view of the matter. It seems to me that we have arrived at a peculiar state of mind in the House when it is necessary to have all of these conditions and limitations surrounding the transfer from all of the people to part of the people of a tract of rocky, barren, practically worthless hill land.

Mr. STAFFORD rose.

The CHAIRMAN. Does the gentleman desire to be recognized in his own right?

Mr. STAFFORD. I do.

Mr. FERRIS. How long does the gentleman desire?

Mr. STAFFORD. I do not intend to consume very much time.

Mr. FERRIS. I desired to ask unanimous consent to close the general debate.

Mr. STAFFORD. I think the gentleman will get it closed more quickly by having me proceed now.

Mr. FERRIS. Very well.

Mr. STAFFORD. I wish to inquire of the chairman of the committee the reason why they embodied the following proviso:

And provided further, That the grant herein contained shall not be construed to deprive the public the right to continue the use of what is known as the Kannah Creek trail across said land.

Mr. FERRIS. Mr. Chairman, I do not know what the trail is, I do not know how important it is, and I do not know why it was suggested. It was suggested by the department, and it was in obedience to their suggestion that we reserved it. The information is that the city has a caretaker who lives on the land and can protect these watersheds. I presume it is a mountain pass or something that could not well be closed, although that is an assumption upon my part.

Mr. STAFFORD. Mr. Chairman, I think the gentleman is in error when he states that it was suggested or recommended by the department. I direct his attention to the letter of the Secretary of the Interior, as found on page 2 of the report, wherein the Secretary makes some suggestions, but in those suggestions nothing is contained as to this reservation of the rights to this trail. Some person outside, other than the Secretary, and outside of the department, has made that suggestion.

Mr. FERRIS. Perhaps the gentleman is right. The department made the suggestion with reference to the mineral reservation; and as I look at it again I think the gentleman is right. There are two provisos there, and it was my thought that the committee copied them verbatim; but it seems the gentleman is right. The mineral reservations were suggested by the department and the committee adopted them.

Mr. STAFFORD. The committee adopted the recommendations of the department, but added another proviso for which it is difficult to find any suggestion, so far as the department is concerned.

Mr. FERRIS. It is unfortunate that the author of the bill who knows about this is sick and unable to be here to-day.

Mr. STAFFORD. It is a minor matter, and I presume it does not impair the general provisions of the bill. I will not press the inquiry further. I reserve the balance of my time.

Mr. FOWLER. Mr. Chairman, I desire to inquire of the gentleman from Oklahoma if the city of Grand Junction is now

using this lease of land for the purpose denominated in the bill, and if so, how long have they been so using it?

Mr. FERRIS. They are really not using it at all. It has been vacant land, and they desire to use it as a part of their watershed.

Mr. FOWLER. Have they ever used it for the purpose of a watershed to supply the city with water?

Mr. FERRIS. Oh, no. They do not own it. It is public land. Anybody could, if they desire, go upon it and enter it.

Mr. FOWLER. They may have been using the water from it even though it is public land.

Mr. FERRIS. I presume they have, inadvertently.

Mr. FOWLER. It has occurred to me that they might want to get across that particular tract of land to a more desirable tract of land for the purpose of supplying the city with water.

Mr. FERRIS. That may be true. The House is unfortunate in not having the exact information at hand regarding this trail.

Mr. FOWLER. The reason I am led to that conclusion is because the sanitary conditions of the tract of land are not very well preserved by the bill, and it occurred to me that perhaps the city did not want the land for the purpose of the watershed to furnish water, but as a right of way over which they might go to a more desirable fountain of water supply.

Mr. FERRIS. They have the power to get the right of way under another act, without coming to Congress, so that I believe the gentleman's presumption would hardly be correct. An act was passed in 1905 authorizing cities to get rights of way without coming to Congress. So it could not be for that purpose.

Mr. FOWLER. It is not very clear in the bill, and no information has been given which is clear, as to the real intent of the purchase of this land by the city.

Mr. FERRIS. Mr. Chairman, I think the gentleman is in error in that. The bill and the report are clear on those points, but we are unfortunate in not being able to tell the gentleman about this road, and the committee has gladly confessed that inability to the gentleman and to the gentleman from Illinois [Mr. MANN] and the gentleman from Wisconsin [Mr. STAFFORD], owing to the absence of the gentleman from Colorado [Mr. TAYLOR].

Mr. FOWLER. The conflict between the high purpose which is urged for the purchase of this land and the promiscuous use permitted by the bill which might defeat that high purpose is of such a character that it does not appear to Members who are not acquainted with conditions there that it is the real purpose to use this land for a watershed.

Mr. FERRIS. About that there can be no question. The city needs this as a part of their watershed. They have asked for it. The city council has asked for it and the officials of the city who have appeared before us asked for it. This road matter is the only part of the bill I am not familiar with. I assume it is some local matter, some mountain pass or something of that kind, and if the gentleman feels it is wrong or has any doubt about the matter he can move to strike it out when the time arrives.

Mr. FOWLER. I shall not do so, because I feel the committee knows more about it than I do. I know nothing whatever about this, although I have been to Grand Junction and I know something about the surroundings there, and it appears to me that the practical effect the bill pretends to seek is not very clearly defined.

Mr. Chairman, I do not agree with my colleague from Wyoming [Mr. MONDELL] in his remarks concerning the disposition of real estate. Apparently he objects to the limitations surrounding this purchase, or proposed purchase, by the city of Grand Junction. It never was intended by the wonderful God of all that any one man or any set of men should get a monopoly of what is known to be the greatest physical inheritance that men ever had. The right of a man to have a home ought to be preserved in the State; the State has title to the land in republics, the king in absolute forms of government. The State ought to see that the real estate shall never be hedged about by the control of the few against the rights of the many, and if a State has permitted such to be done it becomes the solemn duty of the State to remedy such wrongs and see that the real estate is held for homesteads for the poor. To do otherwise—

Mr. MONDELL. Will the gentleman yield?

Mr. FOWLER. In a moment—to do otherwise is a violation of the divine gift from heaven to man. Now I will yield to the gentleman from Wyoming.

Mr. MONDELL. I agree with what the gentleman has said—

Mr. FOWLER. I only yielded for a question.

Mr. MONDELL. And much admire his eloquence, but there is no reservation here of a homestead right. So far as home-

stead rights are concerned, they are wiped out and obliterated by this legislation. There is a reservation here in the United States as against the good people of Grand Junction to minerals that are not there.

Mr. FOWLER. Mr. Chairman, the gentleman from Wyoming has lost sight of the necessity for preserving real estate for homes, instead of allowing it to go into the hands of corporations. Municipal corporations have no more right to acquire large areas of land and hold them in deference to the rights of individuals than private corporations have. One of the greatest acts that was done by Napoleon was the division of the real estate of France into small tracts and placing them within easy reach of the French peasants. That was one of the great reasons why France was able to pay the wonderful indemnity in 1872 imposed on her by Germany.

Mr. McKENZIE. Will my colleague yield?

Mr. FOWLER. In a moment. The gentleman from Wyoming objects to this land going back to the United States in case the city of Grand Junction should cease to use it for a watershed supply. What could be more sensible than to let it go back to the real owner? What does Grand Junction want with it now except to keep the people supplied, according to the terms of this bill, with water, and as soon as that necessity has ceased, then the real estate ought to go back where it came from, to the State, to be held for the purpose of use in the future, whether for mineral purposes, homestead, or otherwise. Real estate ought not to be perpetuated in large tracts in the hands of the few. Corporations ought not to be permitted to hold real estate except for the purpose of their business; manufacturing industries may own the ground on which their plants rest; banking institutions may hold the ground on which their business buildings rest; but no country will ever be prosperous which permits the few to gobble up the real estate and hold it against the rights of the many. I now yield to my colleague from Illinois.

Mr. McKENZIE. I understand this bill is for the purpose of granting certain lands to the municipality of Grand Junction for the protection of its water supply. I desire to ask my colleague if he does not believe it is perfectly proper for municipalities to control tracts of land, even large tracts of land, for park purposes and for the protection of a water supply, and if the control of the same does not inure to the interests of the people.

Mr. FOWLER. Oh, certainly; that is true. Municipalities ought to have an opportunity to see that sanitary conditions prevail within their limits, and that is always desirable; but it is never desirable to hold large tracts of land against the interest of individuals so as to deprive them of homesteads. The happiest place in the world is the place which a man can call his home. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STOUT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had concurred in the request of the House of Representatives for the return of the enrolled bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

GRANT OF CERTAIN LANDS TO GRAND JUNCTION, COLO.

The committee resumed its session.

Mr. MANN. Mr. Chairman, I move to amend the committee amendment by inserting, in line 18, after the word "public," the word "of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the committee amendment by inserting after the word "Public," in line 18, the word "of."

The question was taken, and the amendment was agreed to.

The question was taken, and the committee amendment as amended was agreed to.

Mr. MANN. Mr. Chairman, I move, page 1, line 11, after the word "shall," to insert the words "at least two years from the passage of this act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 1, by inserting after the word "shall," in line 11, the words "within two years after the passage of this act."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, I move to strike out, commencing with line 11, the language "or such portions thereof as it may need for said purpose."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 11, after the word "lands," strike out the words "or such portions thereof as it may need for said purpose."

Mr. FERRIS. Mr. Chairman, let me make a suggestion to the gentleman on that. I can think of a case where there might be some objection to adopting that. Suppose that only half the land fell into the watershed at all, and the other half carried the water off in another direction, does the gentleman think, then, that the land ought not to be used for its proper purpose on the other side; that is, mining, or grazing, or such other uses as it might be put to, and not compel the city to buy something to hold in idleness—something it did not want?

Mr. MANN. If the gentleman's supposition was correct, the criticism would be correct. The statement, however, is, that this land is valueless so far as its use for anything else is concerned. They take the water from Kannah Creek and on this section they have what is called a head gate. This is some distance from the city, and there the water pipe starts and carries the water to the city of Grand Junction. Well, I doubt whether any of this section can be used if the city should just get the land right around the head gate. Now, they say they want to buy it all. I am willing to sell it all to them, but I doubt whether it would be fair to the Government and the rest of the land to sell just a little bit of it right around the head gate and right along the line of the creek.

Mr. FERRIS. I can see how that would work an unfairness. I only thought of a supposititious case.

Mr. MANN. They stated they wanted to purchase the whole section. There are no adverse rights.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise and report the bill favorably.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 19116) to grant certain lands in the city of Grand Junction, Colo., for the protection of its water supply, and had directed him to report the same back to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNAPPROPRIATED LANDS IN NORTH DAKOTA.

Mr. NORTON. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Legislative Assembly of the State of North Dakota, pertaining to legislation for the purpose of assisting in settling up unappropriated lands in North Dakota and the West.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD by publishing certain resolutions of the North Dakota Legislature in reference to settling up the wild lands there. Is there objection? [After a pause.] The Chair hears none.

The following is the joint resolution:

STATE OF NORTH DAKOTA, DEPARTMENT OF STATE.

I, Thomas Hall, Secretary of State of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Bismarck, this 10th day of February, A. D. 1915.

[SEAL.]

THOMAS HALL, Secretary of State.

A concurrent resolution (McClellan).

Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That—

Whereas there are now in the western part of North Dakota about 673,000 acres of rough, broken, and nonirrigable vacant Government land more suitable for grazing and stock raising than for any other purpose; and

Whereas the steady development of the West has been dependent upon and built up by actual settlers and homesteaders who came west for the purpose of finding homes for the support and maintenance of themselves and families; and

Whereas the occupation and settlement of these vacant lands will in time, through taxation and other sources, inure to the benefit of the counties and whole country in which said lands are located; and

Whereas practically all the agricultural lands in the third congressional district of the State of North Dakota have been selected and are now occupied by actual settlers; and

Whereas the balance of the unoccupied lands are quite rough and broken and consists mostly of what are commonly known as the Bad Lands and principally valuable for stock raising; and

Whereas there is a shortage of beef throughout the land as a result of stock raising having been neglected for agricultural pursuits; and

Whereas the balance of this land, if assigned in proper quantities, will yet support hundreds of families; and

Whereas we believe an act can and should be passed by Congress which will grant each settler a sufficient acreage of said lands as will comfortably support a family by mixed farming and stock raising thereon, and which act might be drafted along the line of the 640-acre stock-raising homestead bill No. 15799, which was introduced during the second session of the Sixty-third Congress of the United States, and in which there is incorporated a classification clause which would leave absolutely no grounds for the act to monopolize lands coming under the 160-acre or 320-acre acts; and

Whereas it has come to our notice that a movement was no foot to have Congress pass a law to have said Government lands granted to the State for leasing purposes, and to also pass a national leasehold bill; and

Whereas we believe that such an act would be a crime and an outrage perpetrated upon the counties in which said lands are situated and would deprive them of the actual settlers and families which they would otherwise get, and would further deprive such counties of the assessable valuations and taxable property which they are entitled to and from which said counties would eventually realize an abundance of revenues by virtue of entrymen having their lands patented and homes built thereon for themselves and families and their children's children; and

Whereas there is not the incentive for families to build up valuable and permanent homes on rented land that there is on land they can call their own, and from which they would not have to be separated by virtue of the expiration of a lease; and

Whereas there are a number of the counties in which this land is located that are already too small in the area of their agricultural lands without robbing them of what is left, and this is especially true of Billings County, which has not any more taxable real estate than it needs for the running of their county government; and

Whereas we do not believe in heaping the burdens of taxation on the few who happen to own the agricultural land in such localities when the same can be reduced with the settlement of these vacant Government lands by homesteaders who are willing to share the burden of taxation in their community for the purpose of getting homes; and

Whereas we are heartily in favor of some act that will tend to improve said district and bring settlers who will make permanent homes therein, but that we are bitterly opposed to the submission of a national leasehold bill or any act that will shut the lands out from actual homesteading, thereby curtailing and handicapping the development and upbuilding of said district: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring). That we transmit a copy of this resolution to our Senators and Representatives in the National Congress, requesting and urging them to use all honorable means to see that the spirit of this resolution be put into execution as far as possible, and that any act which would tend to prevent the actual settlement of the lands above referred to, and which would deprive any county in said third congressional district of the full benefit of its lands through taxation or otherwise, be prevented.

It is further resolved, That the secretary of state is hereby authorized to transmit the foregoing resolution to the Senators and Representatives in Congress from the State of North Dakota.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

VESSELS FOR COAST AND GEODETIC SURVEY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional survey by the Coast and Geodetic Survey.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, is my friend from Georgia [Mr. ADAMSON] serious about this?

Mr. ADAMSON. I suppose so. I have not cracked a smile about it lately. I would like to have the bill passed.

Mr. MANN. The gentleman knows that in the sundry civil bill there escaped me, unfortunately, while I was detained by some one else in conversation, a provision for two new vessels, to cost \$290,000, for this service. That probably will get into the law, although it ought to have been stricken out on a point of order.

Mr. ADAMSON. I am very much obliged to the Committee on Appropriations for granting that much. And if those are really intended as a part of this authorization, I am willing to give credit for them when they go to appropriate for these.

Mr. MANN. Those two having been carried in the appropriation bill, where they will probably be provided for, and assuming that was satisfactory to the department, I did not suppose the gentleman would be pressing a bill now for six.

Mr. ADAMSON. I am not advised that those two are a part of this authorization at all.

Mr. MANN. That was what I was trying to get at, whether the new Department of Commerce, with a view to economy in its efforts to restrict expenditures—and we all know how hard it

is working in that direction—wanted to build eight new vessels this year, or only six, or only two.

Mr. ADAMSON. I have always voiced my protest against using economy on the small matters from my committee only, and letting extravagance run wild on other things. If gentlemen would use it on the large matters that come in in millions, on the large propositions, it seems to me, with less hurt to any of them, we would do a great deal on the side of saving, and still grant the little authorizations from my committee.

Mr. MANN. I vote for economy on the large measures. I am not sure that my friend always does.

Mr. ADAMSON. Oh, yes.

Mr. MANN. I have in every case. I notice the half-million dollar items mount up if there are enough of them.

Mr. ADAMSON. There are not many. Our committee has jurisdiction of a few things that go to the vitals of the Government's operations and transactions, and when we come in with a bill for a few little necessary appliances and facilities to carry on the necessary work of the Government, it strikes some of the gentlemen very hard—I do not allude to the gentleman from Illinois; he is not the worst one—and yet they can swallow without choking hundreds of millions of dollars that do not go for any such beneficial purposes.

Mr. MANN. The gentleman will have an opportunity tomorrow, or soon, to show whether he is in favor of economy on large measures or not. I am in favor of economy on both the large and small measures.

Mr. ADAMSON. I thank the gentleman for his suggestion, and, inasmuch as he has mentioned it, I am sure he has reference to the administration ship bill. If I do have a chance to vote for it, I shall vote for it with the greatest of pleasure, as the most necessary thing to be done that has come before the House in a generation, because the business of the world is paralyzed, we are without shipping to do our business, and our products here at home are wasting. We are not able to secure their transportation, and if we do not provide transportation for them at once our people will lose the benefit of them and also lose an opportunity to capture the trade of the world. [Applause.] That bill ought to pass, and pass quickly.

The SPEAKER. Is there objection?

Mr. CLINE. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana objects, and the bill will be stricken from the calendar. The Clerk will report the next bill.

PREVENTION OF LEPROSY IN THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20040) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That for the purpose of carrying out the provisions of this act the Secretary of the Treasury is authorized to select and obtain, by purchase or otherwise, a site or sites suitable for the establishment of a home or homes for the care and treatment of persons afflicted with leprosy, to be administered by the United States Public Health Service; and the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, or the Secretary of Agriculture is authorized to transfer to the Secretary of the Treasury any abandoned military, naval, or other reservation suitable for the purpose, or as much thereof as may be necessary, with all buildings and improvements thereon, to be used for the purpose of said home or homes.

SEC. 2. That there shall be received into said home or homes, under regulations prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, any person afflicted with leprosy who presents himself or herself for care, detention, and treatment, or who may be apprehended under authority of the United States quarantine acts, or any person afflicted with leprosy duly consigned to said home or any of said homes by the proper health authorities of any State, Territory, or the District of Columbia. The Surgeon General of the Public Health Service is authorized, upon request of said authorities, to send for any person afflicted with leprosy within their respective jurisdictions, and to convey said person to any such home for detention and treatment, and when the transportation of any such person is undertaken for the protection of the public health, the expense of such removal shall be paid from funds set aside for the maintenance of said home or homes.

SEC. 3. That regulations shall be prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, for the government and administration of said home or homes and for the apprehension, detention, treatment, and release of all persons who are inmates thereof.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized to cause the erection upon such site or sites of suitable and necessary buildings for the purposes of this act at a cost not to exceed the sum herein appropriated for such purpose.

SEC. 5. That when any commissioned or other officer of the Public Health Service is detailed for duty at the home or homes herein provided for he shall receive, in addition to the pay and allowances of his grade, one-half the pay of said grade and such allowances as may be

provided by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury.

Sec. 6. That for the purposes of carrying out the provisions of this act there is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$250,000, or as much thereof as may be necessary, for the preparation of said home or homes, including the erection of necessary buildings, the maintenance of the patients, pay and maintenance of necessary officers and employees, until June 30, 1916.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, where are these homes to be located?

Mr. ADAMSON. That has not been determined. I will state to the gentleman that the only suggestion I have heard about it is that two or three States are now maintaining homes of that kind—one in Louisiana, and one in Massachusetts, and one in some other State—and the supposition is that these States will be glad to turn over those homes to the Government.

Mr. MANN. And have the Government support them instead of the States?

Mr. ADAMSON. Yes; just as the Government did with respect to the quarantine stations.

Mr. MANN. Well, why not have the Government support all other State eleemosynary institutions?

Mr. ADAMSON. Well, I suppose the fundamental questions involved it is unnecessary for us to discuss at length just now. It is a practical proposition, and not a theory. The country is filling up with lepers, and they go about from State to State, and it has gotten so that we have about 4,000 lepers in the United States. The Government should protect interstate commerce and health by removing the menace to travel and by taking care of these people.

Mr. MANN. Do I understand that it is the purpose of the department now to have a leprosorium in Massachusetts?

Mr. ADAMSON. No; they have not said that. I said that Massachusetts has a leprosorium, and Louisiana has a leprosorium, and some other State, possibly California, has one, and it has been suggested to us that those homes might be acquired. It is objectionable, of course, in some communities for the Government to establish a leprosorium in their vicinity, but wherever they already exist and are maintained by the State authorities and can be sold to the Government, I think all friction in that respect could be removed.

Mr. MANN. This matter has been under consideration by the committee, which undoubtedly has had hearings upon it. How many leprosoria are it intended to have under the provisions of this bill? There is no limit placed in the bill.

Mr. ADAMSON. No; there is no limit in the bill, but it is not intended to have many. One proposition was to acquire an island somewhere off the coast and to have just one. I do not know what will be determined upon about that.

Mr. MANN. This bill authorizes the Secretary of the Treasury to buy a site at any place in the United States for a leprosorium, wherever he chooses.

Mr. ADAMSON. I would take it for granted, however, that he would not do so over the objections of the community, and the easiest way would be to purchase or acquire those already established in the States.

Mr. MANN. I take it that if he does it, it will be over the objections of the immediate community. They certainly will never consent. The bill also authorizes practically all the departments to turn over at any time any land which they have in the way of a reservation.

Mr. ADAMSON. Well, it might be that a reservation would be found suitable for it free from objection, where the Government could allow it to be constructed. We can not, of course, settle all these details in advance. One of the best reasons why we can not is the one suggested by the gentleman, that if we were to propose to locate one at a particular place the people around that place would do to us just as they did before, when we proposed to locate one in Arizona. They defeated the entire bill, because the people interested in that country did not want it.

Mr. MANN. I remember that very well. I have no objection, I will say to the gentleman, to giving the Public Health Service authority to locate a leprosorium and take the chances on where it will be located, but I am very much opposed to giving them authority to locate 40.

Mr. ADAMSON. So am I.

Mr. MANN. This gives them that authority, without any limit at all, practically to take any piece of land that the Government owns and to buy any piece they choose.

Mr. ADAMSON. I do not suppose they would establish one where it was unnecessary or force one on an unwilling community. I believe they would work it out with more common sense than that.

Mr. MANN. I do not always assume that a department will exercise all the power it can; but whenever we give them unlimited authority we find that they do exercise it, just the same, and they say, "There is the law."

Mr. ADAMSON. What is the gentleman's suggestion?

Mr. MANN. The gentleman suggests that the purpose is to establish only one leprosorium?

Mr. ADAMSON. Suppose you make it no more than two.

Mr. MANN. I can not see what they would want to have two for.

Mr. ADAMSON. This is a big country, you know, and we would not want to haul them from coast to coast.

Mr. MANN. Oh, a leper in this country is no danger at all, so far as communicating disease to others by traveling is concerned.

Mr. ADAMSON. Well, the State of Massachusetts and the State of Louisiana have thought otherwise by establishing homes in those States. There is one, also, on the Pacific coast.

Mr. MANN. We had one here. I do not know what became of Mr. Early. They still have a leprosorium here, for all I know.

Mr. ADAMSON. I do not think there would be any objection to limiting the number to two or three, but I think they ought to have more than one.

Mr. MANN. I do not think we ought to authorize more than one. If they need one, very well; but I am not in favor of giving a blanket authority for locating leprosoria wherever they please, regardless of the wishes of the communities. The proper place to locate one is out in the wild somewhere, where nobody lives within a radius of many miles and where nobody ever will live.

Mr. ADAMSON. I would rather have authority to start with one than none at all. What would the gentleman suggest?

Mr. MANN. I have not any amendment prepared.

The SPEAKER. Is there objection?

Mr. MANN. I think the bill ought to go over, if the gentleman is serious about it. I will call the gentleman's attention to what I think is an error. The bill undertakes to appropriate \$250,000 for the construction of buildings, and so forth, and gives authority to use \$250,000 until June 30, 1916. You could not appropriate for a building after that date, and it is quite certain you could not buy a site and build one before that date. So your authorization would not do any good if the bill should pass. That is section 5 of the bill.

Mr. ADAMSON. We can amend that, if the gentleman does not object to the consideration of the bill.

Mr. MANN. We could, as far as I am concerned, spend the afternoon on it; but I think we want to pass some other bills this afternoon.

Mr. ADAMSON. I do not think we will have any chance to pass this after to-day.

Mr. MANN. Oh, I think so. I suggest to the gentleman that he ask to have the bill passed over without prejudice. I think we will have time during the latter days of the session. Of course, this bill will not become a law at this session anyway.

Mr. ADAMSON. Mr. Speaker, under the circumstances I am glad to oblige the gentleman by making the request that the bill go over without prejudice.

The SPEAKER. The gentleman asks that the bill be passed without prejudice. Is there objection?

There was no objection.

WALTER DEAN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20427) to authorize the sale of certain land in Alabama to Walter Dean.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, this is a Private Calendar bill, but I suppose it is not the fault of the author of the bill that it is on the Union Calendar; and as we would have passed it the other night if it had been on the Private Calendar, I shall not make the point of order.

Mr. FERRIS. I thank the gentleman. It is quite important to get this fixed up at this time.

The SPEAKER. Does the gentleman object?

Mr. MANN. No; I do not.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERRIS. I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider this bill in the House as in Committee

of the Whole House on the state of the Union. Is there objection?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Walter Dean, of Calhoun County, Ala., for the north half of section 24, township 14 south, range 7 east, Huntsville meridian in the State of Alabama: *Provided*, That the said Dean shall within six months from approval hereof file his application for said tract and pay the register and receiver of the land office at Montgomery, Ala., the sum of \$1.25 per acre therefor.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the last vote was laid on the table.

HOMESTEAD ENTRYMEN UNDER RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19061) for the relief of homestead entrymen under the reclamation projects of the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Oklahoma [Mr. FERRIS] if there are many cases that are expected to be affected or relieved by this legislation?

Mr. FERRIS. I understand there are only a few.

Mr. MONDELL. I notice that the report says there are about eight on the Uncompahgre reclamation project in Colorado and several in California. The bill is general in form, and I am not able at this time to bring myself to believe that sections 2 and 3 are necessary. It does not seem to me that there is any objection to section 1, but section 2 is a general provision. On reading it hurriedly I think it would apply to other cases than cases such as are proposed to be relieved by section 1, and I can scarcely conceive of a situation that would arise that would necessitate any such provision as section 2.

Mr. FERRIS. Did the gentleman read the letter of Mr. Sweeney, the Assistant Secretary?

Mr. MONDELL. I have read the letter of Mr. Bo Sweeney on the subject, but it does not convince me. I doubt if there is any situation that they could not meet, and I doubt if section 3 should be adopted without pretty full consideration.

Mr. FERRIS. Will not the gentleman allow it to be considered, and content himself with offering an amendment? The gentleman may be right about it. I see, however, that the report says:

Section 3 is added to meet a situation that is the source of considerable distress among settlers, for which there appears to be no remedy either in the law or in the discretion of the Secretary of the Interior.

On section 2 the report says:

The provisions of section 2 are suggested to cover the circumstances where two or more entrymen who have relinquished their entries shall apply for the same farm unit. It is intended to avoid the necessity of other methods of selection as between two applications for the same farm unit, also to provide that when the number of farm units subject to entry is insufficient to afford a lien selection for each person in the situation described those open to entry shall be awarded in sequence of original entries.

That seems to be in order to determine priority, and the department thinks it is necessary to avoid other methods of selection.

Mr. MONDELL. Let me say to the gentleman that if there is any necessity for any provision of that kind, it is a necessity that arises, in the main, outside of any legislation of this sort; it is possible that there will be some such contests between applicants for the same tracts on reclamation projects generally; but where you have only 8 entrymen in one case and 15 in another to deal with, it is not at all likely that any such contingency will arise as is intended to be provided for by this section. As a general provision applying to all projects, if there is some law necessary to guide the Secretary in his discretion, we should have it; but I doubt the necessity of making any provision to guide his discretion in these cases.

Mr. BORLAND. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BORLAND. Sections 1 and 2 seem to have no necessary connection with section 3; but as to sections 1 and 2, the gentleman has no objection to that power being conferred on the department, has he? Where settlers have made an entry in good faith upon land withdrawn for the purpose of irrigation, and either by delay in completion of the project or change in the location of the ditches, it is found that their land is not within the irrigable area, is it not a good thing to give them the right to exchange their land for some land that is within the irrigable area?

Mr. MONDELL. Will the gentleman point out to me the class of cases affected by section 3 that are not affected by section 1?

Mr. BORLAND. I confess I do not understand section 3. I am going to try to get some information on it.

Mr. MONDELL. I never like to vote for anything I do not understand. I do understand section 1, and I can understand that there may be a necessity for that. But I doubt the necessity of section 2 or the advisability of section 3.

Mr. BORLAND. If there were an amendment to strike out section 3, are not sections 1 and 2 applicable to the situation, and are they not a good thing to pass?

Mr. MANN. There is no necessity for section 2.

Mr. BORLAND. Probably not; I understand that is a practice of the department.

Mr. MANN. I am going to object to the bill unless sections 2 and 3 go out.

Mr. FERRIS. I think section 2 is the existing law, and I do not think section 3 would be insisted upon by the author of the bill. If the gentleman thinks that that will relieve the objection, I will agree to it.

Mr. MONDELL. I hope the gentleman will agree to strike out sections 2 and 3 because I think the relief can be had under section 1 of the bill.

Mr. FERRIS. I think there will be no objection to that. I will ask that it be done.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any person who has made homestead entry under the act of June 17, 1902 (32 Stat. L., p. 388), for land susceptible of irrigation which at the time of said entry was withdrawn for any contemplated irrigation project, may relinquish the same, provided that it has since been determined that the land embraced in such entry is not or will not be irrigable under the project, and in lieu thereof may select and make entry for any farm unit included within such irrigation project as finally established, notwithstanding the provisions of section 5 of the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund," etc., and acts amendatory thereof: *Provided*, That such entryman shall be given credit on the new entry for the time of bona fide residence maintained on the original entry.

SEC. 2. That in case more than one application be made at the same time for the same farm unit, preference shall be given to the applicants in the order of the dates of their original entries for the lands relinquished, and if two or more such entrymen having made previous entry on the same date shall apply to enter the same farm unit at the same time in lieu thereof, the precedence shall be decided between them by lot.

SEC. 3. That any person who has heretofore established residence upon and improved any tract of land within the irrigable area of a reclamation project withdrawn from entry under the provisions of the reclamation act of June 17, 1902 (32 Stat. L., p. 388), and acts supplementary thereto and amendatory thereof, and who shall have made bona fide improvements upon such land, and who shall have resided thereon in good faith for two years prior to the passage of this act, may make entry for the farm unit upon which his residence is established, notwithstanding the provisions of section 5 of the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund," and so forth, and acts amendatory thereof, and the homestead entry of any entryman who has heretofore established residence upon any such tract of land and who shall have resided thereon in good faith for two years prior to the passage of this act and who has placed bona fide improvements thereon is hereby validated, but such entry shall be subject to conformation to a farm unit when established.

The following committee amendments were read:

Page 1, line 6, after the word "land," insert the words "believed to be."

Page 1, line 9, after the word "entry," insert the following: "or all thereof in excess of 20 acres."

The committee amendments were agreed to.

Mr. FERRIS. Mr. Speaker, agreeably to the arrangement made a few moments ago, I move to strike out all of sections 2 and 3.

The SPEAKER. The gentleman from Oklahoma moves to strike out sections 2 and 3.

The motion was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CANDLER AND EVANS COUNTIES, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20814) to place Candler and Evans Counties,

of Georgia, in the eastern division of the southern district of Georgia.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Candler and Evans, in the State of Georgia, are hereby attached to and made a part of the eastern division of the southern judicial district of said State.

The following committee amendments were read:

In line 3, after the word "Candler," insert the word "Jenkins."

The SPEAKER. Is there objection?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill to place Candler, Jenkins, and Evans Counties, Ga., in the eastern division of Georgia."

POST OFFICE AT CARLISLE, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18645) for the acquisition of additional site and improvement of Federal post office at Carlisle, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the United States Treasury not otherwise appropriated, the sum of \$20,000 for the acquisition of additional land for a site and for the improvement and alteration of the Federal post office at Carlisle, Pa.

The following committee amendments were read:

Line 6, strike out the figures "\$20,000" and insert in lieu thereof the figures "\$3,500."

Lines 6 and 7, strike out the words "for the acquisition of additional land for a site and."

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. LOGUE. Will the gentleman reserve his objection?

Mr. MANN. Yes.

Mr. LOGUE. This has been amended by the committee. It is not for the acquisition of an additional site.

Mr. MANN. I know what it is for; it is to put certain things in a more attractive condition.

Mr. LOGUE. No; if the gentleman will pardon me.

Mr. MANN. The gentleman does not know what it is for.

Mr. LOGUE. Yes, I do; it is for the alteration and improvements of the stairway that was reported to be in an unsafe condition.

Mr. MANN. To put the stairway in a more attractive condition.

Mr. LOGUE. In a safer condition.

Mr. MANN. I am only reading from the report, which the gentleman from Pennsylvania can read; he is denying what is in the report.

Mr. LOGUE. It is to be placed in a safer and more attractive position.

Mr. MANN. That is what I said.

Mr. LOGUE. No; the gentleman stated only that it was to be put in a more attractive condition.

Mr. MANN. Here is a stairway which has just been erected, and the people do not like it because they say it does not look nice.

Mr. LOGUE. This is under the report of the department, coupled with the report of the postmaster, that several people have fallen down these stairs and that there is danger to the citizens of injury. The fact in connection with this situation is that the building was completed within the appropriation and a large sum of money was covered back into the Treasury. At that time the department should have had notice, and it has been called to their attention that these changes are needed, and the appropriation of \$3,500 does not reach the limit originally made for the erection of the building. It is not an attempt to beautify it. The Representative to Congress from that district [Mr. RUPLEY] was before our committee. The report of the department was such that our committee thought that it was needed for the safety of the public and that these changes should be made.

Mr. MANN. I have read the report, and it is about as ridiculous as anybody could make it. Here is a stairway just erected, and because the patrons who are served by rural routes want to go there and get their mail, they want this stairway changed. They prefer to go there and climb these steps, but they say they do not look nice, and want somebody to build them over again.

Mr. CLARK of Florida. Mr. Speaker, I want to ask the gentleman from Illinois one question. I want to ask him if he thinks it is fair to this committee and to the House to make a statement that the report of the committee is simply to the effect that the stairway is to be changed merely to be made

more attractive, when the report itself says it is to be made safer and more attractive?

Mr. MANN. The gentleman should quote what I really said.

Mr. CLARK of Florida. The two are not analogous at all. When you say to make it safer and more attractive you do not mean simply to make it more attractive. The burden of the thing is, if the gentleman will read the report from the department, that this stairway is absolutely in a dangerous condition, and the main purpose of this is to make it safe. Of course it may be made a little more attractive.

Mr. COOPER. Mr. Speaker, will the gentleman from Illinois yield?

Mr. MANN. Yes.

Mr. COOPER. Mr. Speaker, I would like to ask the gentleman from Florida what is the nature of the defect in the stairs that makes them so unsafe?

Mr. CLARK of Florida. I understand that they are so steep that it is positively dangerous to go up and down. That is the report made to us. It is a very insignificant sum; and, besides that, I understand that the stairway is so constructed as to detract largely from the appearance of the building; that it makes it appear hideous, in other words, besides being absolutely unsafe. The gentleman from Pennsylvania [Mr. RUPLEY], the Member from that district—and I believe that is his home town—came before the committee and he enlarged upon those two propositions. The main proposition, however, is the unsafe condition of the stairway, and that is why we made this report.

Mr. MANN. Mr. Speaker, I had not stated what actuated the committee. I stated in the first place that the purpose of this bill was to make the stairway more attractive. Here is the report of the department:

The steps in use at the present time are not in harmony architecturally with the building, and to a great extent mar its appearance. Otherwise it is a splendid structure—

And so forth. It is true they later say—

Mr. CLARK of Florida. Will not the gentleman be fair enough to read the balance of that?

Mr. MANN. I shall not take the trouble to read the three pages. I was just stating that it was true that later on they say the steps are dangerous. It is also true that they say there are handrails there and that the people will not use the handrails. Evidently the people do not think the steps are dangerous or they would use the handrails. It is perfectly patent. The department has just constructed a building and the people there do not like it. I would be very glad to have the stairway rebuilt if we had plenty of money.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman permit me to read a line on page 3?

Mr. MANN. So far as I am concerned, the gentleman can read it all.

Mr. CLARK of Florida. I read from the report:

It is unfortunate that the building was so designed in the first instance as to provide for a flight of entrance steps so steep as to be dangerous.

Mr. MANN. It is unfortunate. How long has this building been constructed? It has just been finished.

Mr. COOPER. Mr. Speaker, I did not become interested in this until I picked up this report a moment ago. I see that the Secretary of the Treasury, Mr. McAdoo, said in a letter on December 22, written to the chairman of the Committee on Public Buildings and Grounds, which letter is found in the report of the committee on page 3:

The matter of the entrance steps is in a different category. It is unfortunate that the building was so designed in the first instance as to provide for a flight of entrance steps so steep as to be dangerous. Of the estimated cost of \$7,500, it is believed that the cost of reconstructing the steps would amount to \$3,500.

Mr. CLARK of Florida. That is what the committee recommends, and nothing more.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects; and the bill is stricken from the calendar.

PUBLIC BUILDING AT HARTFORD, CONN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18310) to acquire a site for a public building at Hartford, Conn.

The Clerk read the title of the bill.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

FEDERAL BUILDING AT OAKLAND, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21239) to increase the limit of cost of the site of a Federal building at Oakland, Cal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to have some explanation of what the amount of money appropriated in the bill—\$51,750—is for?

Mr. J. R. KNOWLAND. Mr. Speaker, I will state to the gentleman that in 1912 an appropriation was made to enlarge the site of the Oakland post-office building. The owners of the property refused to accept the amount that had been appropriated and condemnation proceedings were begun by the Government. The award is \$57,750 in excess of the amount appropriated. The Attorney General states that he considers this a reasonable price, and adds that if any more delay is had he fears the site can not be secured for the amount awarded. The necessity for the additional land is apparent when I state that the post-office building is now so crowded that the internal-revenue office, the customs office, and the commissioner of bankruptcy and other Federal officers are compelled to rent quarters outside of the Federal building.

Mr. BORLAND. Are we to assume that the Government went ahead with condemnation proceedings and that the verdict of the jury was for \$57,750 more than the amount estimated?

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. And that is the sole cause of this?

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. And no more land was embraced?

Mr. J. R. KNOWLAND. No; the same land; and in the opinion of the Attorney General this is a reasonable figure; and if more delay is had, owing to the rapid increase in the values in that locality, it will unquestionably cost the Government more to acquire the property. The bill is recommended by the Treasury Department.

Mr. CLARK of Florida. This bill gives just enough so that, added to the authorization heretofore made, it completes the amount of the award.

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. Will this complete the acquisition of the site?

Mr. J. R. KNOWLAND. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. J. R. KNOWLAND. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limit of cost for the purchase of a Federal building site at Oakland, Cal., be, and the same is hereby, increased \$51,750, or so much thereof as may be necessary to meet the additional cost of the said site.

With the following committee amendment:

Line 5, strike out the figures "\$51,740" and insert the figures "\$51,750."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

QUIETING TITLE TO PROPERTY, GUTHRIE, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21200) quieting and confirming the title of the Methodist University of Oklahoma in and to certain tracts of land located in the city of Guthrie, Okla.

The Clerk read the title.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there does not seem to be very much information given in the report in this case. The bill was introduced to give a quitclaim title to the Methodist University. The amendment is to give title to the city of Guthrie.

Mr. FERRIS. Or rather to relinquish.

Mr. MANN. Is that for the benefit of the university?

Mr. FERRIS. It is intended to be given to the university.

Mr. MANN. Suppose they do not give it to the university; then what?

Mr. FERRIS. Let me state the facts concerning this case; I suppose the gentleman will be interested. Pursuant to the act of May 2, 1890, which is the general act and does not give very much light on this identical town site, there were ten and a fraction of acres of land reserved in the city of Guthrie as the Territorial capital of Oklahoma for capital purposes and for the capital city. It is called a park, but is never used as a park but for capital purposes. Later statehood came and there was added to what was originally Oklahoma the Indian Territory. The people of the adjoining Territories took a vote as to where the capital should be, and located the capital at the city of Oklahoma as distinguished from the city of Guthrie. It then left the people of Guthrie with quite a large building on their hands, and left them with 10 acres of land on their hands, and they sought as best they could to recoup their loss by reason of having the capital removed.

Mr. MANN. But what was the title the Government conveyed?

Mr. FERRIS. The Government by the act of May 2, 1890, conveyed a limited title to them.

Mr. MANN. I know; but what was that title?

Mr. FERRIS. Later on—

Mr. MANN. What was the title conveyed?

Mr. FERRIS. For park and school purposes.

Mr. MANN. Oh, no; it was conveyed for capital purposes; but what was the limitation upon the title?

Mr. THOMPSON of Oklahoma. Will the gentleman permit?

Mr. MANN. I will.

Mr. THOMPSON of Oklahoma. Originally it was conveyed to the town-site trustees. Afterwards, under the act of 1904, the town-site trustees conveyed it to the city of Guthrie with a limitation. In 1913 the President of the United States conveyed the second title with absolute fee without any reservation at all. Now, afterwards when this question came up, when the grant was made to the Methodist University, the Supreme Court held that the limitation of the original town-site act of 1890 applied; that the town held it in trust, so that the object of this bill is to convey title to the city, so that the city can do as it pleases.

Mr. MANN. Well, I know; but what is the city going to do with it?

Mr. THOMPSON of Oklahoma. I presume, Mr. Chairman, it is the intention of the city to convey it to the university.

Mr. MANN. I really think in fairness we ought to know.

Mr. THOMPSON of Oklahoma. That is the intention.

Mr. MANN. The substitute says here it is to be conveyed to the city of Guthrie. Now, the city of Guthrie has conveyed to the Methodist University this land, but did not have a good title. Now, if they convey a good title to the city of Guthrie and if the city does not choose to convey it to the Methodist University, really that university is up in the air.

Mr. THOMPSON of Oklahoma. Mr. Chairman, I would say in reply to the gentleman from Illinois, that the deed was put in escrow and a condition imposed on the university, that they are to raise \$250,000 as an endowment fund, and they are now waiting until the deeds are approved before they commence to raise that money. When the deeds are approved, they will raise the money.

Mr. MANN. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill be printed in the RECORD and that the substitute be read.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be printed in the RECORD and that the substitute be read. Is there objection? [After a pause.] The Chair hears none.

The bill is as follows:

Be it enacted, etc., That the title of the Methodist University of Oklahoma in and to a certain tract of land located in the city of Guthrie, State of Oklahoma, and more particularly described as follows, to wit: A tract of land 680 feet square, containing 10.62 acres, located within that part of the city of Guthrie, Logan County, Okla., formerly known as Capitol Hill, and bounded as follows: On the north by Cleveland Avenue, on the west by Capital Boulevard, on the south by Harrison Avenue, on the east by Drexel Boulevard, designated and known on the official plat as Capital Park, and heretofore conveyed by said city of Guthrie to the Methodist University of Oklahoma by a deed executed May 16, 1913, pursuant to an election held in said city on the 9th day of May, 1913, authorizing and directing the execution of said conveyance, be, and the same is hereby, in all things quieted

and confirmed, subject only to the compliance on the part of said Methodist University of Oklahoma with the terms and conditions of said conveyance.

The substitute was read, as follows:

Strike out all after the enacting clause and insert:
 "That for the purpose of removing a cloud from the title to that certain tract of land located in the city of Guthrie, State of Oklahoma, and more particularly described as follows, to wit: A tract of land 680 feet square, containing 10.62 acres, located within that part of the city of Guthrie, Logan County, Okla., formerly known as Capitol Hill, and bounded as follows: On the north by Cleveland Avenue, on the west by Capitol Boulevard, on the south by Harrison Avenue, on the east by Drexel Boulevard, designated and known on the official plat as Capital Park, whatsoever right, title, or interest the United States may have in and to said tract of land by reason of escheat or otherwise, be, and the same is hereby, released and quitclaimed unto said city of Guthrie."

The SPEAKER. The question is on the substitute.

The question was taken, and the substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill quieting title to a certain tract of land located in the city of Guthrie, Okla."

On motion by Mr. THOMPSON of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT BATH, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1702) increasing the limit of cost fixed by act of Congress approved June 25, 1910, for enlargement, extension, etc., of Federal building at Bath, Me.

The Clerk read the title.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to know who is in charge of this bill. This bill adds \$10,000 to the authorization, but according to the report it seems to be for some work which was omitted when the contracts were originally let. Does the gentleman from Florida know what that work was which was omitted? The report does not state it.

Mr. CLARK of Florida. The report says:

It is estimated that an increase of \$10,000 will be sufficient to complete the approach work along the lines originally contemplated and also provide for certain desirable betterment.

I do not know just exactly what it is further than that, Mr. Speaker. The gentleman from Maine [Mr. McGILLICUDDY] came before the committee. I do not think I was present when he was there. He stated that there were a number of small things they had to cut off in order to put up the building. These things are necessary, and the committee felt it was necessary that they should be done.

Mr. BORLAND. That seems a little vague. The word "approaches," as the gentleman understands, is generally used in these bills to signify some work that is doing in the city or in the street contiguous to the site. I think it had better go over. The gentleman from Maine [Mr. McGILLICUDDY] is not here.

The SPEAKER. The gentleman from Maine [Mr. McGILLICUDDY] is down in West Virginia at present.

Mr. BORLAND. Mr. Speaker, I ask that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

VALIDATION OF HOMESTEAD ENTRIES.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21122) to validate certain homestead entries.

The SPEAKER. Is there objection to the consideration of the bill.

Mr. MANN. I object.

Mr. FERRIS. Will the gentleman hear me a minute on that?

Mr. MANN. Yes; I will reserve my objection.

Mr. FERRIS. In 1900 Congress passed an act opening certain lands to settlement. There were a lot of remnant lands left that no one wanted. After the first 60-day period anyone could take the remaining lands who would go and settle on them, and the first settler thereon got them. Two or three years went along with some activity in homesteading and a few remnant lands were still remaining. I incorporated in the Indian appropriation bill—or at least I advocated it and it was adopted—a short amendment providing for the sale of these remaining remnant lands. I thought we could close it up in that way.

Mr. MANN. What had it to do with the Indian appropriation bill? These are not Indian lands.

Mr. FERRIS. Oh, no; only it passed as other amendments that were added to the bill. It was land that had been ceded to the Government.

Mr. MANN. We supposed at that time these were Indian lands. The gentleman puts an amendment in the appropriation bill. I do not say that he led us erroneously to suppose that these were remnant lands belonging to Indians; but that is the only way that the bill would have jurisdiction over them.

Mr. FERRIS. The gentleman and I both know how these appropriation bills go through, and that at the Senate end they very often hang on everything in the shape of amendments.

Mr. MANN. I remember the item, I remember the impression I received on the floor that these were remnant lands belonging to the Indians and hence it was proper in the Indian appropriation bill to provide for their disposal.

Mr. FERRIS. I think the gentleman was probably incorrect, as I think this amendment went in at the Senate end, and I do not think the gentleman had any statement from me at the time. There was a question at the time as to whether or not they were Indian lands. But the department later held they were public lands and not Indian lands. This is what happened. After this amendment had passed, the local land office down at Guthrie gave out a published statement in the newspapers, and the matter was current in the State, and asked the people to come and enter these lands, and they did enter them—some 56 in number. They filed on them. A good many of them proved them up, got their receipts, and built houses on them. Last fall when I was home they had received notices by reason of the amendment in the Indian appropriation bill which provided for the sale of these land, back in 1911; that these lands had been erroneously entered and their titles were held for cancellation. I said to them that I did not believe the Government would let them go on the land and build homes and prove them up and then take the lands away from them. I called it to the attention of the Land Office, and they were willing to favor legislation to straighten it out. They think themselves that they ought not to let people enter land and live on it two or three years and then take it away from them. I introduced the bill, and the department recommended it favorably, and the committee reported it. It ought to pass. It will straighten out a tangle that should be straightened.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. STAFFORD. Under the Indian appropriation provision, what prevented these settlers from purchasing these lands on which they made improvements at the appraised value?

Mr. FERRIS. The Land Office did not offer them under the 1911 provision, and they being segregated by existing entries were not subject under the 1913 provision.

Mr. STAFFORD. Were they not subject to entry under the prior act of 1911? Is not the gentleman confusing the dates?

Mr. FERRIS. That is the one I referred to. And it is that one that the land should have been sold under, and the local land office made the error and invited numerous families to come on to settle on the land. There was for a time some confusion about it as to whether or not the land was Indian land. This probably was the cause of the trouble.

Mr. STAFFORD. Under the act of 1911, which is not the appropriation act.

Mr. FERRIS. It was an amendment to the Indian appropriation bill. The act of 1911 was the Indian appropriation act.

Mr. STAFFORD. Not according to the report here.

Mr. FERRIS. It is, though.

Mr. STAFFORD. They have a right to-day to buy the lands at the appraised value, not including the improvements.

Mr. FERRIS. Oh, yes; but a man has exhausted his homestead right. A man who three or four years ago was invited to go and enter on the land and build a house on it and cultivate it and comply with the homestead law, and even prove up on it, does not want to give it up. He is entitled to it. He should not be compelled to buy it a second time.

Mr. STAFFORD. The gentleman's statement is not correct when he says he is deprived of his entire right, because he is not. He can purchase this land at the appraised value, not including the improvements. He does not wish to buy at the appraised value.

Mr. FERRIS. The gentleman should not say I am in error. I know it from A to Z. There were two amendments in the appropriation bill under which the department could sell the land. Later I came along and put a provision in the appropriation bill in 1913 authorizing that they sell and clean up these remnant lands. I want to get rid of them and get rid of any trouble of this kind.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. FERRIS. I was first trying to satisfy the gentleman from Wisconsin.

Mr. BURKE of South Dakota. These lands in the Kiowa, Comanche, and Apache Indian Reservations that originally

were authorized to be disposed of were sold, were they not, to the highest bidder—that is, under sealed bids?

Mr. FERRIS. This first opening was not; no. The first opening was ceded lands, and they had a general drawing. These are lands that were carried over from that first opening. The latter opening was under the 1906 opening.

Mr. BURKE of South Dakota. From the original opening?

Mr. FERRIS. Yes.

Mr. BURKE of South Dakota. Did the Indian appropriation act contain an item for the disposition of remnant lands, or did it not apply to reserve tracts that had been used for schools and agency purposes?

Mr. FERRIS. The last act more particularly did. There were two acts. An amendment was placed in the Indian appropriation act for 1911 which provided that the Secretary of the Interior was authorized to sell the Kiowa, Comanche, and Apache lands. They did not sell them, but on the contrary the local land office people went out and invited people to settle them by homestead entry.

Mr. BURKE of South Dakota. They were open to homestead entry before that act was passed, and did not that act withdraw them from homestead entry?

Mr. FERRIS. I believe it did, and they held that they can not prevent these people from entering, even if they have entered or already have gotten title. I present herewith the report on the bill from the Public Lands Committee. It also contains the views of the department. It is as follows:

[House of Representatives, Rept. No. 1367, 63d Cong., 3d sess.]

VALIDATING CERTAIN HOMESTEAD ENTRIES.

Mr. FERRIS, from the Committee on the Public Lands, submitted the following report.

The Committee on the Public Lands, having had under consideration H. R. 21122, entitled "A bill to validate certain homestead entries," after carefully considering the same, reports the bill back to the House with the recommendation that the same do pass with the following amendment added thereto:

"Provided, That in addition to the land-office fees prescribed by statute for such entries the entryman shall pay \$1.25 per acre for the land entered at the time of submitting final or commutation proof."

The bill is short, and is therefore printed herewith at length, with the provision added thereto, which is strictly in accord with the recommendation of the Interior Department, and as it was unanimously approved by the committee. It is as follows:

"A bill to validate certain homestead entries.

"Be it enacted, etc., That all homestead entries heretofore erroneously allowed for the unused, unallotted, and unreserved lands of the United States in the Kiowa, Comanche, and Apache Indian Reservations, which lands were authorized to be sold under section 16 of the act approved March 3, 1911 (36 Stat. L., p. 1069), and under the provisions of the act approved June 30, 1913 (38 Stat. L., p. 92), are hereby ratified and confirmed: *Provided*, That in addition to the land-office fees prescribed by statute for such entries the entryman shall pay \$1.25 per acre for the land entered at the time of submitting final or commutation proof."

The bill was regularly referred to the Interior Department by the Public Lands Committee for report and recommendation. The department, under date of January 26, 1915, rendered a favorable report thereon and it is printed herewith at length, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 26, 1915.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: I have before me for consideration H. R. 21122, which provides:

"That all homestead entries heretofore erroneously allowed for the unused, unallotted, and unreserved lands of the United States in the Kiowa, Comanche, and Apache Indian Reservations, which lands were authorized to be sold under section 16 of the act approved March 3, 1911 (36 Stat. L., 1069), and under the provisions of the act approved June 30, 1913 (38 Stat. L., 92), are hereby ratified and confirmed."

These, with other lands, were ceded to the United States by the Indian tribes named by treaty of October 21, 1892, and, with the exception of certain reservations, were made subject to entry at \$1.25 per acre by the act of June 6, 1906 (34 Stat., 680).

The act of March 3, 1911 (36 Stat., 1069), authorized the Secretary of the Interior to sell such lands as remained then undisposed of upon such terms and under such rules as he might prescribe. After the passage of the last-named act the Commissioner of the General Land Office on April 20, 1911, instructed the register and receiver to allow no more entries for such lands until further notice. However, the register and receiver did allow about 56 entries to be made, 12 of which have been passed to patent.

In the Indian appropriation act of June 30, 1913 (38 Stat., 92), which further authorized the sale of the unused, unallotted, and unreserved lands in the reservations mentioned, it was provided that the Secretary of the Interior might "grant to settlers a preference right to purchase for 90 days from and after notice, at the appraised price, exclusive of improvements, such lands as are occupied by such settlers in good faith on January 1, 1913."

It is pointed out on behalf of the 56 entrymen that they occupy a different status from the settlers described in the act last cited in that the settlers went upon the land of their own accord and were not misled by the allowance of their claims by the register and receiver, whereas the 56 entrymen in question were misled by the allowance of their homestead entries, and, relying thereupon, constructed houses and other improvements upon the land, secured loans from banks, and took other steps in reliance upon the allowance of their said entries.

Under the circumstances, and as the entrymen were misled by the erroneous action of the Government officers, it is the opinion of the department that they are entitled to relief. While H. R. 21122 is apparently designed to permit the perfection of the entries in the same man-

ner and at the same price as entries allowed under the act of June 6, 1906, supra, it is believed that in order to make this clear there should be added a proviso to the following effect:

"*Provided*, That in addition to the land-office fees prescribed by statute for such entries, the entrymen shall pay \$1.25 per acre for the land entered at the time of submitting final or commutation proof."

So amended, the department recommends the enactment of the bill.

Very truly, yours,

A. A. JONES,
First Assistant Secretary.

The bill relates to 56 homestead entries which were allowed by the Guthrie local land office to be erroneously made. Notices were published by the land office inviting settlers to take up certain remnant lands which were left after two preceding openings had been held. Under this invitation and these notices 56 entries were made during the year 1912. Twelve of the entries have been passed to patent, the entrymen having entered promptly, resided upon the lands, proved up, and received final certificate thereto, in some cases loans having been made thereon. The other 44 entries were regularly made pursuant to the invitation issued by the local land office. The entrymen improved the land, constructed dwellings and buildings thereon, made the land more valuable, and in every way complied with the homestead laws. Later it was discovered that the lands, technically, were not subject to entry, and each of the 56 settlers were called upon to show cause why their entries should not be canceled. The land office is without power, technically, under the law to render these homesteaders relief. Certainly they are entitled to relief. To grant them this relief would not divest the Indians of any money or property, the lands having heretofore been ceded to the Government. In order to secure this relief the settlers would be required to pay \$1.25 per acre for the land, the Government price for nonmineral, nonirrigable, nontimbered lands. The lands mentioned are remnant odds and ends of little value which were left over from preceding openings and are nonirrigable, nonmineral, and nonmineral.

It is thought that the only honorable thing for the Government to do in this instance is to allow their entries to stand of record, permit the homesteaders to acquire title to the lands in strict compliance with the law, and it is therefore the recommendation of your committee that this bill do pass and the relief be granted.

It may not be out of place to say that from the year 1901 up until March 3, 1911, these lands were subject to homestead entry and were not taken or selected, and it is the thought of your committee that the bill does not in any way work a hardship upon the Government; that the Indians' rights were formerly entirely severed from these lands by the treaty of October 21, 1892; that the settlers entered upon the lands in good faith and in strict accord with the invitation of the Government; that they have complied with the homestead laws—have placed improvements on the lands; that the rights of innocent persons have entered into the matter; and that these settlers are entitled to the relief mentioned.

Mr. MANN. Well, two years ago the gentleman from Oklahoma [Mr. FERRIS] put a provision on a bill authorizing them to sell the land and giving the settlers the right to buy them at the appraised value.

Mr. FERRIS. That is true; but I did not intend it to be construed in that way.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. FERRIS. Would the gentleman from Illinois object to its retaining its place on the calendar?

Mr. MANN. Not at all.

Mr. FERRIS. I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER. Is there objection to passing over the bill without prejudice?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

CHICOT AND DESHA COUNTIES, ARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18086) to amend section 71 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 4, 1911.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, this transfers two counties from one district to another?

Mr. FLOYD of Arkansas. That is all. It transfers two counties from one district to another.

Mr. MANN. I understand; but was the convenience of the United States considered in any way? There is no report here or anything to indicate that this matter was ever submitted to the Attorney General or to the United States district attorney or to the district attorney for a report. It is usual to do that.

Mr. FLOYD of Arkansas. Well, it is more convenient to the people of those two counties, and I know of no objection to it from any source. It takes two counties that lie along the Mississippi River and where railroad communication is direct with Helena and transfers them from the Little Rock district, which is far more remote, to Helena.

Mr. MANN. I know that recently we passed a law dividing the State into districts—or a reenactment of the law—and it is customary when these cases are up to consult the officials, so that we shall have information before us.

Mr. FLOYD of Arkansas. I will state to the gentleman from Illinois, Mr. Speaker, that in this case it is the same trial judge that holds the courts.

Mr. MANN. That is all the more reason why we should have asked him whether this is a proper transfer, so that we would have his opinion on the subject. However, I am not going to object, although I think this is a pretty loose way to do business.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 71 of an act approved March 4, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," be, and the same is hereby, amended as relates to the eastern district of the State of Arkansas, so that when amended it shall read as follows:

"The State of Arkansas is divided into two districts, to be known as the eastern and western districts of Arkansas. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Sevier, Howard, Little River, Pike, Hempstead, Miller, Lafayette, Columbia, Nevada, Ouachita, Union, and Calhoun, which shall constitute the Texarkana division of said district; also the territory embraced on the date last mentioned in the counties of Polk, Scott, Yell, Logan, Sebastian, Franklin, Crawford, Washington, Benton, and Johnson, which shall constitute the Fort Smith division of said district; also the territory embraced on the date last mentioned in the counties of Baxter, Boone, Carroll, Madison, Marion, Newton, and Searcy, which shall constitute the Harrison division of said district. Terms of the district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the Fort Smith division, at Fort Smith on the second Mondays in January and June; and for the Harrison division, at Harrison, on the second Mondays in April and October. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Lee, Phillips, St. Francis, Cross, Monroe, Woodruff, Chicot, and Desha, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Independence, Cleburne, Stone, Izard, Sharp, and Jackson, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Crittenden, Clay, Craighead, Greene, Mississippi, Poinsett, Fulton, Randolph, and Lawrence, which shall constitute the Jonesboro division of said district; and also the territory embraced on the date last mentioned in the counties of Arkansas, Ashley, Bradley, Clark, Cleveland, Conway, Dallas, Drew, Faulkner, Garland, Grant, Hot Spring, Jefferson, Lincoln, Lonoke, Montgomery, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, and White, which shall constitute the western division of said district. Terms of the district court for the eastern division shall be held at Helena on the second Monday in March and the first Monday in October; for the northern division at Batesville on the fourth Monday in May and the second Monday in December; for the Jonesboro division, at Jonesboro on the second Mondays in May and November; and for the western division, at Little Rock on the first Monday in April and the third Monday in October. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Little Rock, at Helena, at Jonesboro, and at Batesville, which shall be kept open at all times for the transaction of the business of the court, and the clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Fort Smith, at Harrison, and at Texarkana, which shall be kept open at all times for the transaction of the business of the court."

Sec. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOYD of Arkansas, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

FOUNDATION FOR THE PROMOTION OF INDUSTRIAL PEACE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21236) to dissolve the Foundation for the Promotion of Industrial Peace, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the Calendar. The Clerk will report the next one.

CRATER NATIONAL PARK REVENUE FUND.

The next business on the Calendar for Unanimous Consent was the bill (S. 2223) to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object, Mr. Speaker.

Mr. SINNOTT. Mr. Speaker, this bill is one designed to give to the Secretary of the Interior authority to expend the receipts coming from leases, franchises, and licenses in Crater Lake Park, Oreg., in the improvement of the park. The bill was drawn in the office of the Secretary, and he states that the Crater Lake Park and the Mesa Verde Park, in Colorado, are the only parks under his supervision where he has not the authority to expend the funds in the management of the parks. It can readily be seen that this park ought to be placed on the

same footing with the other parks with regard to expending the revenues of the park upon the park.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, for just a moment, I am not in sympathy with the purpose of the bill, but it would not accomplish the purpose which it is designed to accomplish if it were enacted.

It only shows how carelessly rough some bills are sent to us from the various departments. The language of the bill was originally prepared and sent as an estimate to go into the sundry civil appropriation bill. The sundry civil bill contains an appropriating clause at the beginning of the bill, and it would have appropriated, if this item had been inserted in the sundry civil bill, the receipts referred to in this bill.

But there is no appropriation at all in this bill. All that this bill would accomplish would be to do what is now done—to turn the money into the Treasury, as is now the case, and when the money is once in the Treasury there is no way of getting it out without an appropriation, and there is no appropriation in this bill. In order that it may be properly corrected, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar. The Clerk will report the next one.

GREAT NORTHERN RAILWAY.

The next business on the Calendar for Unanimous Consent was the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. COOPER. Reserving the right to object, Mr. Chairman, I should like to hear a statement of the purport of the bill.

Mr. STOUT. I have no particular statement to make, further than that made in the report. It is desired to eliminate a very heavy grade at the point referred to in the bill. The length of the right of way which is sought to be abandoned is something less than 2 miles. The length of the right of way which is desired by this bill is something in excess of a mile. It cuts out a wide curve. The railroad forms the southern boundary of Glacier National Park. The bill provides that the land which is left between the old and the new rights of way shall be added to the national park, in order that the line of the railway shall continue to constitute the southern boundary of the park.

Mr. COOPER. I do not quite understand the last paragraph of the report. Is this bill as now presented the bill recommended by the department?

Mr. STOUT. It is.

Mr. COOPER. It differs from the Senate bill?

Mr. STOUT. The bill recommended by the department is substituted for the original Senate bill.

Mr. COOPER. The report says the committee have had the bill under consideration, but there is no statement in the report that that is the bill reported by the committee.

Mr. STOUT. It is the bill submitted by the department in lieu of the original bill as introduced.

Mr. COOPER. So this is the amendment of the Department of the Interior?

Mr. STOUT. Yes; it is.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. STOUT. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Montana asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That, with the consent and approval of the Secretary of the Interior and upon the filing with the Interior Department and the approval thereof by said Secretary of maps of definite location, the Great Northern Railway Co., a corporation of the State of Minnesota, be, and it is hereby, authorized to revise the location of that part of its line of railway along the southern boundary of the Glacier National Park, in the State of Montana, on the terms and conditions and subject to the limitations and restrictions granted by and contained in an act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875 (18 Stats., p. 482), as amended by an act of Congress entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes," approved March 3, 1899 (30 Stats., p. 1233): *Provided*, That all lands north of the north line of the revised right of way, when said revised line of right of way shall have been approved as aforesaid, shall be excluded from the Lewis and Clark National Forest and become and remain part of the Glacier National Park, and be subject to all the provisions of an act of Congress entitled "An act to establish 'the Glacier National Park' in

the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes," approved May 11, 1910 (36 Stats. p. 354), and to all the provisions of any act of Congress that may hereafter be passed relative to said park, and the regulations of the Secretary of the Interior heretofore or hereafter prescribed in accordance with law for the government of the park, and that any and all lands south of the north line of such revised line of right of way which may now be within the Glacier National Park shall become and remain a part of the Lewis and Clark National Forest and be subject to and be governed by the laws heretofore or hereafter enacted by Congress and the regulations heretofore or hereafter prescribed by the Secretary of Agriculture for the control of national forests.

With the following committee amendments:

Insert, on page 1, in line 6, after the word "location," the words "within three years from the passage of this act."

Add, at the end of the last paragraph on page 3, the following: "Provided further, That before the Secretary of the Interior shall consent to and approve the revision of location herein authorized the said Great Northern Railway Co. shall file with the said Secretary a relinquishment of all claims, of whatever nature, to that portion of its right of way affected by said revised location."

The committee amendments were agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. STOUT, a motion to reconsider the last vote was laid on the table.

CERTAIN TOWN SITES IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20498) to validate title to certain town sites in the State of Montana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask if Mr. Tallman represents the railroad company?

Mr. STOUT. He does not.

Mr. MANN. This is a private speculation of his own?

Mr. STOUT. He is just a private individual.

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

WESTERN DISTRICT OF SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20894) to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

Mr. FINLEY. Mr. Speaker, I will ask the gentleman from Illinois to withhold his objection.

Mr. MANN. Certainly; I reserve the objection.

Mr. FINLEY. Mr. Speaker, this proposed legislation is necessary. In my State we have over 1,800,000 population and only one district judge. While it is true that there is a circuit judge who is appointed from that State, he does not hold any courts in South Carolina. His time is taken up with his other duties.

I will say to the gentleman from Illinois that this bill has passed one House or the other three times. I think it has passed both Houses twice.

Mr. MANN. When did it pass this House?

Mr. FINLEY. In the Fifty-seventh Congress a substantially similar bill passed.

Mr. MANN. That was 14 years ago, and they have gotten along very well from that time up to date, and nobody even reintroduced the bill, I think.

Mr. FINLEY. Oh, no; I beg the gentleman's pardon. The bill has been here in each Congress.

Mr. MANN. It has not been reported. I think in the present state of the Treasury they can get along for at least another year.

Mr. FINLEY. This bill was vetoed once by the President, on the ground that we did not provide a district judge. Every State in the Union of anything like the size of South Carolina that has two districts has two separate sets of court officials.

Mr. MANN. When was this bill vetoed by the President?

Mr. FINLEY. It was vetoed by President Roosevelt in the Fifty-seventh Congress.

Mr. MANN. And they have gotten along very well since then.

Mr. FINLEY. No; the bill passed again in the Fifty-eighth Congress. I will suggest to the gentleman from Illinois that the report is short—

Mr. MANN. I have read the report. I remember the case.

Mr. FINLEY. I will say to the gentleman that this district judge is one of the most industrious judges on the bench in this country. I do not know what he says about it, but some of his

friends are anxious about him, because he has more work than he should do. I hope the gentleman from Illinois will not object.

Mr. MANN. I do not think this is a very good time to create another judgeship.

The SPEAKER. Is there objection?

Mr. CULLOP. I object.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] objects, and the bill is stricken from the calendar.

PUBLIC BUILDING AT BIDDEFORD, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6134) to amend the act authorizing the construction of a public building at Biddeford, Me.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. This completes the Calendar for Unanimous Consent.

Mr. ADAMSON. There are two uncontested bridge bills which were reported too late to get onto this calendar. I hope no one will object to allowing me to ask unanimous consent for their consideration at this time. They will take only a moment.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of two bridge bills. Is there objection?

Mr. COOPER. Mr. Speaker, reserving the right to object, the House is entitled to know what business is to come up for consideration. These are not emergency measures, and therefore I object.

HOOR OF MEETING TO-MORROW.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. RAGSDALE. I object.

ACADEMY OF ARTS AND LETTERS.

Mr. SLAYDEN. Mr. Speaker, I move to suspend the rules and discharge the Committee on the Library from further consideration of S. 583, incorporating the American Academy of Arts and Letters, and to pass the bill.

The SPEAKER. The gentleman from Texas moves to suspend the rules, discharge the Committee on the Library from further consideration of S. 583, and pass the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That William Dean Howells, of New York; Henry James, of Massachusetts; Henry Adams, of the District of Columbia; Thomas Raynesford Lonsbury, of Connecticut; Theodore Roosevelt, of New York; John Singer Sargent, of Massachusetts; Alfred Thayer Mahan, of New York; Daniel Chester French, of New York; John Burroughs, of New York; James Ford Rhodes, of Massachusetts; Horatio William Parker, of Connecticut; William Milligan Sloane, of New Jersey; Robert Underwood Johnson, of New York; George Washington Cable, of Massachusetts; Andrew Dickson White, of New York; Henry van Dyke, of New Jersey; William Cray Brownell, of New York; Basil Lanneau Gildersleeve, of Maryland; Woodrow Wilson, of New Jersey; Arthur Twining Hadley, of Connecticut; HENRY CABOT LODGE, of Massachusetts; Francis Hopkinson Smith, of New York; Edwin Howland Blashfield, of New York; William Merritt Chase, of New York; Thomas Hastings, of New York; Hamilton Wright Mable, of New Jersey; Brander Matthews, of New York; Thomas Nelson Page, of the District of Columbia; Elihu Vedder, of Massachusetts; George Edward Woodberry, of Massachusetts; Kenyon Cox, of New York; George Whitefield Chadwick, of Massachusetts; Abbott Handerson Thayer, of New Hampshire; John Muir, of California; Charles Francis Adams, of Massachusetts; Henry Mills Alden, of New Jersey; George de Forest Brush, of New Hampshire; William Rutherford Mead, of New York; John White Alexander, of New York; Bliss Perry, of Massachusetts; Abbott Lawrence Lowell, of Massachusetts; James Whitcomb Riley, of Indiana; Nicholas Murray Butler, of New York; Paul Wayland Bartlett, of New York; Owen Wister, of Pennsylvania; Herbert Adams, of New Hampshire; Augustus Thomas, of New York; Timothy Cole, of New York, and their successors, duly chosen, are hereby incorporated, constituted, and declared to be a body corporate of the District of Columbia, by the name of the American Academy of Arts and Letters.

SEC. 2. That the purposes of this corporation are and shall be the furtherance of the interests of literature and the fine arts.

SEC. 3. That the American Academy of Arts and Letters shall consist of not more than 50 regular members, and the said corporation hereby constituted shall have power to make by-laws and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign, domestic, or honorary associate members, and the division of such members into classes; and to do all other matters needful or usual in such institutions.

SEC. 4. That the American Academy of Arts and Letters shall hold an annual meeting at such place in the United States as may be designated and shall make an annual report to the Congress, to be filed with the Librarian of Congress.

SEC. 5. That the American Academy of Arts and Letters be, and the same is hereby, authorized and empowered to receive bequests and donations of real or personal property and to hold the same in trust, and to invest and reinvest the same for the purpose of furthering the interests of literature and the fine arts.

The SPEAKER. Is a second demanded on this bill?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. SLAYDEN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. SLAYDEN. Mr. Speaker, I have had this bill up once on the Unanimous Consent Calendar, and ran against an objection. It is a bill that proposes to charter the American Academy of Arts and Letters, an association of gentlemen distinguished in the profession of letters, in painting, in sculpture, and the other fine arts. The only objection that I have heard advanced by any gentleman is that some gentlemen say they are opposed to granting charters.

In reply to that I call attention to the fact that it has been done. I have here a list of 15 or 20 associations to which charters have been granted by the Congress of the United States. Several of these are within the last 10 years. One was in 1912, the Naval History Society; and another in 1912, the American Numismatic Association. There is quite a list of them, too numerous to call attention to in detail, and I can see no reason, Mr. Speaker, why, if charters were granted to these associations, it should not be granted to the one which makes the request, which consists of some of the most eminent men in the country.

Another objection that has been sometimes urged by some gentlemen is that it is sectional. Mr. Speaker, that is not true. The bulk of these gentlemen do live in New York and in the East, and that is not an unreasonable thing under the circumstances. They came from all over the country originally, but the market for their wares is in New York and Boston, and they do like a mechanic or a lawyer or a merchant would under like circumstances—they go to the market in which they will thrive and in which their profession has the greatest recognition.

I call attention to the fact, in reply to the charge that it is sectional, that 10 of these gentlemen come from New York City, 8 from Boston, 2 from Cambridge, 1 from Beverly, 1 from Lowell, and 1 from Williamstown, 10 from Connecticut, Vermont, and New Hampshire, 8 from Ohio, 4 from Indiana, 1 from Michigan, 8 from Pennsylvania, 2 from New Jersey, and so on; 11 of these gentlemen, while living mostly in the East, were born in the South.

Mr. Speaker, there is nothing in the charge that this association is in any respect sectional. Now I will yield to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. How was this list of distinguished men arrived at?

Mr. SLAYDEN. Originally it was a volunteer association.

Mr. MILLER. Does not the gentleman think it is most unfortunate that these are all practically eastern men and no one west of the Allegheny Mountains except two?

Mr. SLAYDEN. Since its organization there have been people from west of the Allegheny Mountains, some of the most eminent in the country among its members. Samuel L. Clemens, better known perhaps as Mark Twain, was a member of the association, and he lived the first half of his life not only west of the Alleghenies, but largely west of the Rocky Mountains. James Whitcomb Riley, of Indiana, and John Muir, of California, who is now dead, were from the West.

Mr. MILLER. I am not opposed to the bill; I am in favor of it; but is it not possible to get some recognition for American arts and letters, and not localize it all in New York and Massachusetts?

Mr. SLAYDEN. I am glad that the gentleman is going to support the measure, but his statement that this localizes it in New York and Massachusetts is inaccurate. I have no affiliation with New York, although I go to New York and Boston occasionally and pay a pretty big hotel bill and meet some agreeable people, but that is all of my connection with that section.

Mr. COOPER. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. COOPER. George Washington Cable, of Massachusetts, was born in Louisiana.

Mr. SLAYDEN. Yes.

Mr. MILLER. I know that many of these individuals were born in the West, where the best people are born, but they have gravitated to the East.

Mr. AUSTIN. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. AUSTIN. I do not see a resident of the Southern States south of the Potomac River in this list of individuals.

Mr. SLAYDEN. I will say to my colleague from the South—and he can not regret it any more than I do—that at this time

the most eminent men in arts and letters are not residents of the South. They do not live there. I have spent all my life in the South; I am a southern man. My sympathies are all with the South, my hopes are for the South, my pride is in the South; but on account of the great Civil War, the poverty and distress which it brought upon us, the sacrifices we were called upon to make, the high-class schools of training in arts and letters have been lacking in that section.

But, Mr. Speaker, we are coming into our own in that respect. We have produced a number of distinguished men in the last few years in art and letters, in painting and sculpture, and because these men go from the South where their services are not so much required, for the reason that we have not the wealth or demand for works of art of the higher order, to those communities in which there is a better and more remunerative demand for their services we ought not to deny them the privilege of associating themselves in this way. This association is an inspiration to men who work in the arts. It is educational. It is not sectional. It is open to any man who does such work as to command the respect and admiration of his fellow citizens, who are qualified to pass on these things. Frankly, Mr. Speaker, I would not be qualified to say who is so eminent a sculptor, who so distinguished a painter, who such a master in letters, that he is entitled to belong to an association which devotes itself entirely to the development of those arts. We have produced poets and fiction writers, historians and philosophers, and they have been recognized. Some of them are in this list.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. STEPHENS of Texas. Does not my colleague think it is possible he might be mistaken in the statement there are no eminent men from the Southern States—

Mr. SLAYDEN. Oh, I did not say that.

Mr. STEPHENS of Texas. Is it not a fact that in the Southern States he will find university graduates, and in our own State men who are graduates from the very best schools not only in the United States but in Europe, who are now residents of the South, who are southern born and raised? I dissent from the gentleman's statement.

Mr. SLAYDEN. But the gentleman did not catch my statement. However, in reply to him I will state that I have personally known a great many very distinguished and honorable graduates of the greatest universities in the world who could not speak and write correct English and who certainly could not paint a great picture, chisel a worthy statue, or write a high-class book.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. SHERLEY. I will ask the gentleman what he thinks of a given number of men, self-appointed, creating themselves through an act of Congress into a self-perpetuating body that shall determine who shall be entitled to recognition. The thing about this that I do not like is the fact that these gentlemen appoint themselves as the arbiters of all matters of science and art and determine who shall be worthy of future admission to this academy of immortals.

Mr. SLAYDEN. Mr. Speaker, I do not personally know much about that. I do not recall anything at this moment about the academy in Germany, the academy in England, or in Spain. They have them in all of these countries. We have all read perhaps more about the French academy, and I think that academy selects its own members.

Mr. SHERLEY. And what we have read about the French academy is mostly of the distinguished men who have been denied admission to the French academy, men whom the world admitted to a real hall of fame, in spite of the action of the academy.

Mr. SLAYDEN. Oh, being men, no doubt they will make mistakes.

I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, when I first read the list of notables here enumerated in the proposed act I thought there was a good deal of sectionalism in the bill. But I notice that the very first name, the president of the association or incorporation we propose to incorporate, is W. D. Howells, who Ohio claims. I notice also that the chancellor, William M. Sloane, is an Ohio man, although they are both scheduled in the list as residents of other States. In looking over Who's Who in America I find there are 8 of these men who are really Ohio men, and I have just learned from the statement of the gentleman from Texas [Mr. SLAYDEN] that there are 11 of them who are from the Southern States. I notice some of them who are very well known in the world of achievement as coming from

the South. Take, for instance, Mr. Brander Matthews. He is domiciled in New York, but a southern man. Then there is Mr. Gildersleeve, who was born, as I remember it, in South Carolina. Then there is President Woodrow Wilson listed as coming from New Jersey, when, as a matter of fact, he was born in Virginia. An analysis of the list shows the following facts against what has been termed a sectionalism in the bill: Sixteen come from New York, 13 from Massachusetts, 5 from Connecticut, 3 from Vermont, 2 from New Hampshire, 8 from Ohio, 4 from Indiana, 1 from Michigan, 8 from Pennsylvania, 2 from New Jersey, 11 from the Southern States, and 6 from foreign countries.

It is easy to understand why they are printed as coming from the East, and especially the great centers. These men who have distinguished themselves in various fields of art and letters are located in places where they can get together, where a community of interest is possible. They have gotten together, evidently, and have asked for this incorporation to give them the recognition and dignity that goes with the incorporation by the authority of the Nation. It does not mean that the number is to be limited to these who are asking to be incorporated whose names are in the proposed act, and therefore I think that that objection would not be valid.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. MARTIN. Has the gentleman noticed that the bill does propose to limit the number of this association at any time to 50?

Mr. FESS. That is, of regular members. All associations of this kind have two classes of members—regular and associate. Sometimes they are classed as regular and honorary. Other associations classify under the heads active and associate members.

Mr. MARTIN. Is there any provision in the bill for any other kind of members?

Mr. FESS. I see no provision; but it would not prevent the election of associate members, just as in the American Historical Association or other similar associations.

Mr. MANN. The bill does provide for the election of honorary and associate members.

Mr. FESS. I thank the gentleman for calling my attention to that. I had not noticed it. Mr. Speaker, I sent over to the Library a moment ago for a list of similar associations incorporated by the authority of Congress. The list sent to me numbers 34. Since receiving it I went to the telephone to verify the statement that these have all been incorporated by act of Congress, and am told that they have been, and, if I desired it, the date of the act would be furnished. The list is as follows:

1. Academy of Natural Sciences, Philadelphia.
2. Academy of Science, St. Louis.
3. Academy of Science and Art of Pittsburgh.
4. Academy of Science and Letters, Sioux City.
5. American Academy of Dramatic Art.
6. American Academy of Political and Social Science.
7. American Forestry Association.
8. American Forestry Congress.
9. American Historical Association.
10. American Institute of Architects.
11. American Institute of Electrical Engineers.
12. American Institute of Mining Engineers.
13. American-Irish Historical Society.
14. American-Jewish Historical Society.
15. American Philological Association.
16. American Philosophical Association.
17. American Psychological Association.
18. American Society of Mechanical Engineers.
19. Archaeological Institute of America.
20. Association of Engineering Societies.
21. Illuminating Engineering Society.
22. National Academy of Design.
23. National Academy of Sciences.
24. National Institute of Arts and Letters.
25. National Institute of Social Sciences.
26. Southern Historical Society.
27. Unitarian Historical Society, Boston.
28. California Academy of Sciences.
29. New York Academy of Sciences.
30. Academy of Natural Sciences of Philadelphia.
31. American Philosophical Society, held at Philadelphia, for Promoting Useful Knowledge.
32. Carnegie Foundation for the Advancement of Teaching.
33. Carnegie Institution of Washington.
34. National Conservatory of Music.

I hope that there will be no serious objection to this national recognition of the effort toward the organization of an academy of arts and sciences. It is only another item in the great movement toward the better and higher appreciation of things that are worth while. The objection that it is undemocratic is without force. If denial is placed upon that ground, then all such organizations should be so opposed. I do not see any serious objection to this any more than to the American Historical Association or to the American Philosophical Association

or any of the other 32 such associations already incorporated. Some of these associations are domiciled at Philadelphia, others in New York, others in Boston, others in Pittsburgh, and still others in Washington. They are all incorporated under the authority of national law. I sincerely hope objection will not be pressed, but this House will show its appreciation of this sort of achievement.

The following is a list of the officers and members of the American Academy of Arts and Letters:

[Revised to January, 1915.]

OFFICERS.

President, Mr. Howells; chancellor and treasurer, Mr. Sloane; permanent secretary, Mr. Johnson.

Directors, Messrs. Blashfield, Brownell, Hastings, Howells, Johnson, Mead, and Sloane.

MEMBERS.

William Dean Howells, Augustus Saint-Gaudens (deceased), Edmund Clarence Stedman (deceased), John La Farge (deceased), Samuel Langhorne Clemens (deceased), John Hay (deceased), Edward MacDowell (deceased), Henry James, Charles Pollen McKim (deceased), Henry Adams, Charles Elliot Norton (deceased), John Quincy Adams Ward (deceased), Thomas Rainford Lounsbury, Theodore Roosevelt, Thomas Bailey Aldrich (deceased), Joseph Jefferson (deceased), John Singer Sargent, Richard Watson Gilder (deceased), Horace Howard Furness (deceased), John Bigelow (deceased), Winslow Homer (deceased), Carl Schurz (deceased), Alfred Thayer Mahan (deceased), Joel Chandler Harris (deceased), Daniel Chester French, John Burroughs, James Ford Rhodes, Edwin Austin Abbey (deceased), Horatio William Parker, William Milligan Sloane, Edward Everett Hale (deceased), Robert Underwood Johnson, George Washington Cable, Daniel Coit Gilman (deceased), Thomas Wentworth Higginson (deceased), Donald Grant Mitchell (deceased), Andrew Dickson White, Henry van Dyke, William Cray Brownell, Basil Lanneau Gildersleeve, Julia Ward Howe (deceased), Woodrow Wilson, Arthur Twining Hadley, Henry Cabot Lodge, Francis Hopkinson Smith, Francis Marion Crawford (deceased), Henry Charles Lea (deceased), Edwin Howland Blashfield, William Merritt Chase, Thomas Hastings, Hamilton Wright Mable, Bronson Howard (deceased), Brander Matthews, Thomas Nelson Page, Elihu Vedder, George Edward Woodberry, William Vaughn Moody (deceased), Kenyon Cox, George Whitefield Chadwick, Abbott Handerson Thayer, John Muir (deceased), Charles Francis Adams, Henry Mills Alden, George de Forest Brush, William Rutherford Mead, John White Alexander, Bliss Perry, Francis Davis Millet (deceased), Abbott Lawrence Lowell, James Whitcomb Riley, Nicholas Murray Butler, Paul Wayland Bartlett, George Browne Post (deceased), Owen Wister, Herbert Adams, Augustus Thomas, Timothy Cole, Cass Gilbert, William Roscoe Thayer.

Mr. STAFFORD. Mr. Speaker, no bill in my memory which has sought to form a close corporation has embodied the idea that it was not subject to revision and repeal by the Congress. Here we provide by this bill—different from the House bill, which had the repealable clause—the authority that these gentlemen, estimable, holding high positions as they do, may constitute themselves a small, exclusive body to determine who shall be included within the class of immortals. I do not wish to dispute that these persons named have achieved high distinction in the realm of letters, painting, and the like, but a mere glance over the list shows that it is sectional in its character. I take issue with the author of this bill that there are not men from the South, men from the West, the Middle West, and the far West, who have achieved as much distinction in the line of letters as those men who are named here.

Mr. SLAYDEN. Mr. Speaker, if the gentleman is referring to me, I hope he will take the stenographer's notes and see that he is quoting me absolutely correctly.

Mr. STAFFORD. I do not intend to quote the gentleman incorrectly, but I say that there are men in the South who have achieved as high distinction in the realm of letters—for instance, James Lane Allen—

Mr. SLAYDEN. I hope the gentleman—

Mr. STAFFORD. And other men who, by their records in art and literature, have achieved as high worth as these men, some of whom are on the verge of the grave and some of whom have already passed into the realm beyond.

Mr. SLAYDEN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. SLAYDEN. I protest against the gentleman putting words in my mouth which I did not say.

Mr. STAFFORD. I did not refer to the gentleman in my second statement. The gentleman misunderstands me entirely.

Mr. SLAYDEN. The gentleman repeated it a second time.

Mr. STAFFORD. And I repeat it a third time.

Mr. SLAYDEN. And I desire to protest that I did not say anything of the kind.

Mr. STAFFORD. I am not saying what the gentleman said, but I will repeat it a third time, that there are gentlemen as worthy of inclusion in this list from the South and West as those who are named. There are two fundamental objections. We are seeking to create by act of Congress a corporation with certain 50 named persons designated, and another provision limiting the number hereafter to 50. If there were no restrictions as to the number, the objection would not be so great, but here you create a small class of 50 selected dignitaries—you leave it to these men to say who shall be considered as a

select class, the only worthy of the worthy. I do not think that is American. I have no objection to a corporation being formed which comprises all who are entitled to it nationally, but when it comes to enacting a law which creates a class which shall arrogate to itself the privilege of determining that they alone have the high characteristics to obtain membership to this select class I dissent because I know many who are equally as worthy as those who are included, even though they happen not to be domiciled in the sacred precincts of the commercial center of the country, not the literary center but the commercial center—New York.

Mr. STEENERSON. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. STEENERSON. Does the gentleman think the United States Government ought to be represented on this board, that some of the officials, like the Commissioner of Education or some other officials, the President of the United States?

Mr. STAFFORD. That is worthy of consideration, except that might include many worthy people.

Mr. PLATT. The President of the United States is included.

Mr. STAFFORD. That is not officially. He is included by reason of his historical writings, essays, and very worthily so, on account of the position he has occupied in the realm of letters.

Mr. PLATT. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PLATT. Does not the gentleman think after this association has been incorporated we can easily get up another one to take in all those very worthy men, and even ourselves, if necessary?

Mr. SHERLEY. If the gentleman will permit, that goes to the main question. These gentlemen have a perfect right to associate themselves together and put the seal of their approval upon whom they please; but for them to come and ask the Congress to delegate to them the seal of authority to determine who are fit to be within an exclusive class of 50 immortals is to undertake something that comes mighty near the extreme of egotism and presumption, no matter what the ability of these gentlemen.

Mr. STEENERSON. Mr. Speaker—

Mr. STAFFORD. Mr. Speaker, I must decline to yield further. We surrender to them for all time the right of Congress to repeal this act, never before, in my knowledge, done; and I challenge anyone to say where in any of these 36 similar incorporations of the past Congress did not reserve the right to repeal, and yet under this bill we surrender that privilege.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. STAFFORD. How much time have I occupied?

The SPEAKER. Seven minutes.

Mr. STAFFORD. I yield to the gentleman from Texas.

Mr. STEPHENS of Texas. Does the gentleman remember the instance of three tailors who got into a back room in a tailor shop in London and declared that those three were the people of London, and proceeded then to give directions to the British Empire?

Mr. STAFFORD. We do not have to go to London to find that. We find it here in this country. I reserve the balance of my time.

Mr. SLOAN. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. SLOAN. I desire to ask the gentleman from Wisconsin if he has discovered any reason why Walt Mason, the most widely read, and the most generally read, and the best-paid poet on the Western Continent, a citizen of Nebraska, loaned temporarily to Kansas, is not mentioned in that list?

Mr. STAFFORD. You can keep on citing names ad infinitum of men illustrious in the realm of letters who are entitled as much to inclusion in this list as this select few.

I reserve the balance of my time. How much time have I used, Mr. Speaker?

The SPEAKER. The gentleman has used eight minutes.

Mr. SLAYDEN. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman from Texas has five minutes remaining.

Mr. SLAYDEN. Mr. Speaker, I ask the gentleman from Wisconsin to go on and use some more of his time.

Mr. STAFFORD. I am strongly opposed to this bill in its present form. I am under obligations to yield five minutes to a gentleman in favor of it, the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am grateful to the gentleman from Wisconsin [Mr. STAFFORD], who controls the time for the opposition, yet generously yields to me, knowing I will support the bill.

Mr. Speaker, this bill is in substance an application made by a number of American citizens, distinguished in arts and letters, who desire to incorporate as a national association, having for its purpose the furtherance of the interests of literature and the fine arts in the United States. No one here will venture to question the entire worthiness of that purpose. No one but desires that literature and the fine arts may be encouraged, that their standards may be elevated; that their appreciation may be increased. If the Congress of the United States can by this mere recognition of the worthiness of their purpose aid these gentlemen in their endeavor to further these interests it ought to do so.

The American Academy of Arts and Letters as a voluntary association has been in existence some years. It will doubtless continue its existence whether we incorporate it or not. But it is desired that as this association is composed of men from all over the United States and is national in its scope, it be given national recognition, just as we have given national recognition to the American Academy of Political and Social Science, to the American Historical Association, to the National Academy of Sciences, and to some 30 other national associations of similar character.

Mr. SHERLEY. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. SHERLEY. Why do they need a special act of Congress? They can incorporate under the laws of practically every State in the Union or under the laws of the District of Columbia?

Mr. TOWNER. I think that is a very pertinent inquiry, and I will say in reply that, so far as I am informed, it is only because they desire to add as much dignity and importance to the association as is possible.

Mr. SHERLEY. Now, if the gentleman please, is it not the real reason that they hope by virtue of an act of Congress to have themselves designated as the exclusively chosen patrons of art and letters?

Mr. TOWNER. Mr. Speaker, if the gentleman would reflect, I think he would not desire to asperse the character of those men by attributing to them any such selfish purpose.

Mr. SHERLEY. Oh, if the gentleman—

Mr. TOWNER. I decline to yield any further, Mr. Speaker, because I have not the time.

These men are representative of that which is best in American art and letters. They are incapable of such an unworthy desire as the gentleman ascribes to them. In so far as any selfish purpose is indicated, it is only that the association may become more efficient and influential in promoting art and letters in the United States. It is not intended that an exclusive cult shall be formed which shall determine standards or ideals. It is certainly proper to place a limit on the membership of an association of this kind. That is always done. But how unreasonable it is to charge that because a number of men and women desire to associate themselves for the furtherance of any worthy purpose, such an endeavor is an attempt to arrogate to themselves exclusive possession of merit or distinction in such field. Other associations may be formed. Individual effort is not in any way discredited or handicapped. In order to better accomplish a worthy purpose these gentlemen, who have won distinction in their several lines, who stand for that which is best and most elevated in American letters and art, desire to associate themselves into an organization that shall assist in advancing the cause and increasing the influence of letters and art. This is a worthy purpose. We should encourage rather than disparage it.

Mr. DIES. Will the gentleman yield?

Mr. TOWNER. For a question only.

Mr. DIES. I would like to ask the gentleman how many new stars have been added to the constellation since we killed the bill before?

Mr. TOWNER. I hardly know what the gentleman means. If he means that the selection of membership does not meet with his approval, I will say to the gentleman that any selection that could be made would be subject to criticism.

Mr. DIES. I want to know if there are any new names.

The SPEAKER. The gentleman declines to yield.

Mr. TOWNER. The charge has been made before and is again urged that the bill is sectional; that in the names of the incorporators there are too many from the East and too few from the West and South. As I view it, that objection, if true in fact, should be given little weight. If a number of gentlemen in any worthy cause of this character desire to associate themselves and they are of enough distinction to compel national respect and approval, even if they were all from a

single State or city, I would not consider that fact a sufficient reason why we should not recognize them.

But the sectional objection has little basis in fact. In giving the present location of the organizing members it appears that a large number are found in New York, Boston, and the East. But the chairman, Mr. Howells, is from Ohio, as is the chancellor and treasurer, Mr. Sloane. There are eight Ohio men in the association. There are 11 from the Southern States. Chase, the artist, and Riley, the poet, come from Indiana. Cable comes from Louisiana, Joel Chandler Harris from Georgia, and John Muir was a Californian. Woodrow Wilson is put down from New Jersey, but he was born in Virginia. Many men of arts and letters have gravitated to the eastern centers because they find in such centers the association, the market, and the material for their work. To urge this objection under the circumstances is an exhibition of narrow provincialism unworthy of the Members of this House.

It is not likely if we fail to incorporate the association it will be materially injured by such failure. The association can continue its work as a voluntary association without national official recognition. But we shall injure ourselves if we do not pass this bill. Our refusal to do so for reasons assigned today will not be creditable to us. We should be able, at least occasionally, to be broadminded, and to understand and appreciate some of the things that rise above neighborhood prejudices. It will be altogether creditable to the American Congress if it shall pass this bill. It will be a reflection upon our intelligence if we refuse to pass it.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I make a similar request. I want to print a letter from Robert Underwood Johnson.

The SPEAKER. Is there objection?

Mr. MANN. Suppose everybody did that? Everyone has a letter from Mr. Johnson.

Mr. FERRIS. They have not had a good one, like this.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, the letter is from the Hon. Robert Underwood Johnson, formerly editor of the Century Magazine. He is a fluent writer and a distinguished citizen of the Republic. His letter has certain value to this question. It is pertinent and deserves a place in the CONGRESSIONAL RECORD in connection with this bill. It is as follows:

THE CENTURY ASSOCIATION,
7 West Forty-third Street, February 12, 1915.

DEAR MR. FERRIS: If you were selecting the best chemists in the country, would you select them according to States or according to distinction?

As a matter of fact, the members of the American Academy of Arts and Letters since its organization is geographically well distributed if you take the birthplaces of the 79 members, living or dead. You see, writers and artists come to New York and Boston for their market and for the sympathy and comradeship found in large cities. I inclose a list. Will you not have the justice and kindness to show it to those who are affected by the geographical distribution of residences? No amount of residence in New York can obscure the fact that Mark Twain was a Missourian. So is Augustus Thomas. Howells, Sloane, Kenyon, Cox all came from Ohio; Cass Gilbert from Michigan; Chase, the artist, from Indiana, where I spent my boyhood, coming east to join the Century Magazine staff—a national organ. Riley lives in Indiana, where Moody was born; John Muir was a Californian; Joel Chandler Harris from Georgia; Prof. Gildersleeve, born in South Carolina, lived in Virginia, and now lives in Maryland; Cable and Matthews were born in Louisiana; Brush, whose paintings are in the Corcoran, was born in Tennessee; Van Dyke, Wister, and Furness, the great Shakespeare commentator, came from Pennsylvania.

Please ask Mr. SLAYDEN to let you see the full list.

Is it not a trivial objection that the academy, based on large achievement, has no representative of certain States where less attention is given to literature and the arts? So much more do they need the help of such an organization. With thanks for your frank letter and hope that you will help us with our enabling act on Monday, I am,

Very sincerely, yours,

R. U. JOHNSON.

Geographical distribution of the birthplaces of the 79 members of the American Academy of Arts and Letters.

New York City	10
New York State	6
Boston	8
Massachusetts (outside Boston)	5
Connecticut	5
Vermont	3
New Hampshire	2
Pennsylvania	8
New Jersey	2
Ohio	8
Indiana	4
Michigan	1
Maryland	1
District of Columbia	1
Virginia	2
South Carolina	1
Georgia	1

Louisiana	2
Tennessee	1
Missouri	2
Abroad (including Muir, of California, and Schurz, of Missouri)	6
Total	79

RÉSUMÉ.

New York City and State	16
Boston and Massachusetts	13
Connecticut, Vermont, and New Hampshire	10
Pennsylvania and New Jersey	10
Ohio, Indiana, and Michigan	13
South	11
Wisconsin and California (resident, Muir)	1
Abroad (besides Muir, including Carl Schurz, of Missouri)	5

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I do not desire to reflect upon any of the individuals named in this list. Some of them I happen to have the pleasure of knowing. All of them are men of distinction, and I in no way object to the bill because of the absence of the names of men residing in the South. I am not sectional in my opposition. I realize fully that art and science know no geographical limitations, and it is for that very reason that I deeply resent the egotism that I believe underlies this movement. It is not the first time in the history of the world when men distinguished in art and letters have, from what they thought very proper motive, or, as the gentleman from Iowa put it, a desire to elevate the world in art and letters, undertaken to arrogate to themselves the sole right of determining what shall be thought worth while in art and letters and who shall be worthy of the approval of these self-appointed censors. The world has grown too big for academies of 50 people to pass upon eligibility for fellowship in the society of intellectual endeavor and achievement, and there is nothing more distinctly un-American than for the National Congress to give its sanction to 50 self-appointed individuals, no matter how eminent they may be, with power to perpetuate themselves and their association and to put the ban of their disapproval or the smile of their approval upon all who may knock hereafter for recognition in art, in science, or in literature. And, as I said a moment ago to the gentleman from Texas [Mr. SLAYDEN], a good many academies of the world, self-created, have become famous because of the men they refused admission to rather than on account of those that they admitted within their sacred portals. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] has five minutes left.

Mr. STAFFORD. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN] three minutes.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for three minutes.

Mr. MANN. Mr. Speaker, this bill is a companion piece to the law creating the National Institute of Arts and Letters that we passed some time ago. I believe the membership in that institute is 250, or something like that.

Mr. SLAYDEN. That is right.

Mr. MANN. This provides for the American Academy of Arts and Letters, with a membership of 50. Both of these institutions have been in operation for a number of years. The American Academy has been in existence for about 10 years. Men are elected members of the academy, which is the 50-membership institution, from the national institute, which is the 250-membership institution.

Of course, they will exist voluntarily, one of them now being already authorized by law, even if we do not authorize this one by law. There is no doubt in my mind that it is intended by the bill to give these gentlemen a distinction, possibly adding somewhat to the distinction which they would otherwise attain. Yet I can see no harm in it. If this proposal were simply to name these 49 gentlemen named in this bill to create an American academy as a new proposition, I would be opposed to it, because I note from an examination of the bill that out of the 49 members named, 21 come from the State of New York, 11 come from Massachusetts, 2 from the District of Columbia, 3 from Connecticut, 5 from New Jersey, 3 from New Hampshire, and 1 from Maryland, 1 from Indiana, 1 from California—and he is dead—and only 1 from Philadelphia and Pennsylvania combined. [Laughter.]

I would not have created the institute in this manner if it had been left to me to determine the organization. But as the institute is already in existence and men have been selected because of their prominence in arts and in letters, it seems to me that we can not criticize because these men happen to reside in the States named.

It is true that many of them came from other States to New York and Massachusetts. It is undoubtedly true also that many of them are named in this list because they have come in per-

sonal touch with the other men living in New York and Boston. And yet it is inevitable that a center grows up in reference to any line, either of thought or business, and the center of thought in the way of literature and art does actually exist in New York City and Boston, in the main; and those of us, if we should attain prominence in the arts or literature, would probably move to one of those cities, as every man in the country who endeavors to attain to prominence in statesmanship in the end desires or seeks Washington for a home a portion of the time, because this is the center of the country as to statesmanship. Therefore I can see no objection to the passage of the bill. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for two minutes.

Mr. STAFFORD. Mr. Speaker, I would like to inquire if the gentleman from Texas [Mr. SLAYDEN] intends to close in one speech?

Mr. SLAYDEN. It is my purpose to yield all of my time, except half a minute for one statement, to the gentleman from Wisconsin [Mr. COOPER].

Mr. STAFFORD. It is only fair, then, to say that I hope the gentleman will use his minute, and I propose that we shall have only one more speech on this side.

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] is recognized.

Mr. SLAYDEN. Then I will act on the suggestion of the gentleman from Wisconsin. I have a letter here from a gentleman highly connected with the Government of the United States which, I think, should meet the approval of gentlemen from Minnesota. It is the President of the United States who is anxious for the passage of this bill.

It must be admitted, as stated by the gentleman from Illinois [Mr. MANN], that the men most eminent in letters, in painting, sculpture, and in architecture are associated with this institution, and no reason has been advanced to show why it should not pass.

I yield the balance of my time, Mr. Speaker, to the gentleman from Wisconsin [Mr. COOPER].

Mr. STAFFORD. Mr. Speaker, in all fairness to the gentleman, I will say that we have on this side but one speech remaining. The gentleman from Texas is entitled to close. I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I would like to give this bill my support, but as a Representative from a Southern State, I can not do it. I can not virtually say by my vote that the entire Southern States are without men who are qualified and that their names should not be associated with a great national project or proposition of this kind. I should consider it a reflection upon the South and an insult to my constituents to be compelled to vote for a bill of this kind, and I hope we shall send it back to the committee, and that the gentlemen mentioned in the bill will find out there is a great section of this country not only south of the Ohio River, but west of the Mississippi River. [Applause.]

During the Sixty-first Congress—a Republican Congress—in having the pictures of the previous Speakers of this House painted we found well-known southern artists to paint the pictures of Speakers who were elected from the Southern States; and in this matter I ask this Democratic House, made up practically of a majority of southern men, to vote with me, a southern Republican, against this bill, and send it back to the committee, and if those interested do not know that we have men of art and literary talent in the South and West, we will give them time to find out before they get a proposition of this kind through the House with the aid of our votes. [Applause.]

BRIDGE ACROSS THE SUWANEE RIVER, FLA.

The SPEAKER. Before the Chair recognizes the gentleman from Wisconsin [Mr. COOPER], he desires to announce the cancellation of his signature to the bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

AMERICAN ACADEMY OF ARTS AND LETTERS.

The Chair now recognizes the gentleman from Wisconsin [Mr. COOPER] for four and one-half minutes.

Mr. COOPER. Mr. Speaker, I am heartily in favor of this bill. The gentlemen have given various reasons for opposing it. Some have said that its tendency is exclusive, aristocratic, sectional, and that it confers unwarranted special privileges. But it is no more exclusive, aristocratic, or sectional than are the 34 or 35 corporations that Congress already has created, nor does it confer any more unwarranted privileges. We already have the American Academy of Sciences; we already have the American Historical Society. This bill merely proposes to create a sister society to these to include in its membership painters,

sculptors, musicians, and authors, and to be called the American Academy of Arts and Letters.

Gentlemen complain of the limited number of the incorporators. Of course their number is limited. Of necessity this must be so. But in this there is nothing either aristocratic or unduly exclusive. Congress incorporated the American Red Cross Society. Its original incorporators were limited in number. But at that time no one said, as gentlemen have said here to-day, "We must not incorporate the Red Cross Society, because if we do we thereby say that only those whose names are mentioned as incorporators shall be entitled to be considered charitable; we will support no bill of this kind unless its list of incorporators shall include the name of somebody from my congressional district or State." Mr. Speaker, with all respect for the gentlemen who have made that argument to-day, it is the narrowest possible sort of a way to consider a question of this kind. Wisconsin has nearly completed, at a cost of \$6,000,000, a superb State capitol. Among the other great artists who have decorated the structure is Blashfield, of New York, one of the incorporators named in the pending bill. Who decorated the beautiful State capitol in Minnesota? Were they men from some congressional district in Minnesota or were they from the East? How preposterous to talk about art as though it were a matter of mere geography. Painting, sculpture, and music speak a universal language and make a universal appeal.

Mr. MARTIN. Will the gentleman yield?

Mr. COOPER. I have no time to yield.

The SPEAKER. The gentleman declines to yield.

Mr. COOPER. One gentleman says, "Let us send this bill back until we can get into it the name of somebody from the South." Well, George W. Cable was born in Louisiana. His name is here. The name of Thomas Nelson Page, of Virginia, is here.

Mr. SLAYDEN. And the name of Joel Chandler Harris.

Mr. ESCH. Joel Chandler Harris.

Mr. COOPER. The name of Joel Chandler Harris is here. I am not going to vote against this bill because it makes no mention of anybody from Wisconsin.

The gentleman from Texas [Mr. DIES] asks, "Have there been any distinguished reputations made since we killed the bill before?" Now, the fact that a bill has been killed before does not signify that it was not meritorious. The amendment for the income tax was killed by Congress more than once before it became a part of the Constitution. The constitutional amendment for the election of Senators by the people was killed time and again before at last it became a part of the Constitution. Consecutive defeats do not always demonstrate the unworthiness of the measure that is defeated. I can not understand the logic of the gentleman.

Mr. DIES. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. COOPER. No; I have only very little time. I can not yield. The bill makes provision not only for regular members, but also for foreign, domestic, or honorary members. I regret that I have not time in which to discuss it.

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is on suspending the rules, discharging the Committee on the Library from the further consideration of the bill read at the desk, and passing the bill.

The question being taken, on a division (demanded by Mr. STAFFORD) there were—ayes 62, noes 41.

Accordingly, two-thirds not voting in the affirmative, the motion was rejected.

INTERSTATE COMMERCE IN THE PRODUCTS OF CHILD LABOR.

Mr. PALMER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12292) to prevent interstate commerce in the products of child labor, and for other purposes, as amended.

Mr. MANN. I will ask the gentleman from Pennsylvania whether the motion is to pass the House substitute as it is printed?

Mr. PALMER. Yes; the amended bill as it is printed in the report.

Mr. MANN. As it is printed in bill form, as amended?

Mr. PALMER. Yes.

The SPEAKER. Of course, whatever is read from the desk is what will be voted upon.

The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful for any producer, manufacturer, or dealer to ship or deliver for shipment in interstate commerce the products of any mine or quarry which have been produced, in whole or in part, by the labor of children under the age of 16 years, or the products of any mill, cannery, workshop, factory, or manufacturing establishment which have been produced, in whole or in part, by the labor of children under the age of 14 years, or by the labor of

children between the age of 14 years and 16 years, who work more than eight hours in any one day, or more than six days in any week, or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m.

Sec. 2. That the Attorney General, the Secretary of Commerce, and the Secretary of Labor shall constitute a board to make and publish from time to time uniform rules and regulations for carrying out the provisions of this act.

Sec. 3. That for the purpose of securing proper enforcement of this act the Secretary of Labor, or any person duly authorized by him, shall have authority to enter and inspect at any time mines, quarries, mills, canneries, workshops, factories, and manufacturing establishments in which goods are produced for interstate commerce.

Sec. 4. That it shall be the duty of each district attorney to whom the Secretary of Labor shall report any violation of this act, or to whom any State factory or mining or quarry inspector, commissioner of labor, State medical inspector, or school-attendance officer, or any other person shall present satisfactory evidence of any such violation to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay for the enforcement of the penalties as in such cases herein provided.

Sec. 5. That any person, partnership, association, or corporation, or any agent or employee thereof manufacturing, producing, or dealing in the products of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment who shall violate any of the provisions of section 1 of this act, or who shall refuse or obstruct the entry or inspection authorized by section 3 of this act, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000 nor less than \$100, or by imprisonment for not more than one year nor less than one month, or by both fine and imprisonment, in the discretion of the court: *Provided*, That no dealer shall be subject to conviction under the provisions of this section who shall establish a guaranty issued by the person by whom such goods were manufactured or produced, and residing in the United States, to the effect that in the manufacture and production of such goods, neither in whole nor in part, had children been employed or permitted to work in any mine or quarry under the age of 16 years, or in any mill, cannery, workshop, factory, or manufacturing establishment under the age of 14 years, or between the ages of 14 years and 16 years, who worked more than eight hours in any one day, or more than six days in any week, or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m. Said guaranty, to afford the protection above provided, shall contain the name and address of the person giving the same, and in such event such person shall be amenable to any prosecution, fine, or penalty to which the person seeking the protection of such guaranty would otherwise have been subject under the provisions of this act. The word "dealer" as used in this act shall be construed to include any individual or corporation, or the members of any partnership or other unincorporated association.

Sec. 6. That in prosecutions under this act each shipment or delivery for shipment shall constitute a separate offense.

Sec. 7. That this act shall take effect from and after one year from the date of its passage.

The SPEAKER. Is a second demanded?

Mr. BYRNES of South Carolina. Mr. Speaker, I demand a second.

Mr. PALMER. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that a second be considered as ordered.

Mr. BYRNES of South Carolina. I object.

The SPEAKER. The gentleman from South Carolina objects, and the Chair will appoint the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Pennsylvania [Mr. PALMER] as tellers.

The House divided, and the tellers reported that there were 54 ayes and 32 noes.

Mr. TRIBBLE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Georgia makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees.

Mr. CRISP. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and on a division (demanded by Mr. PALMER) there were—36 ayes and 64 noes.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask for the yeas and nays.

Mr. TRIBBLE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from Georgia will state it.

Mr. TRIBBLE. When the call comes on the point of no quorum, will the vote be on an adjournment?

The SPEAKER. If there are enough Members rise to order the yeas and nays, the vote will be on the question to adjourn.

Mr. PALMER. If a sufficient number of Members do not arise to get the yeas and nays, will the vote be on the adjournment?

The SPEAKER. No; and if the yeas and nays are refused, the House will have refused to adjourn by a vote of 64 to 36. The question is on taking the vote by yeas and nays, and all those in favor of taking the vote by yeas and nays will rise. [After counting.] Twenty-eight Members; a sufficient number.

Mr. PALMER. The other side, Mr. Speaker.

The SPEAKER. Those opposed to taking the vote by yeas and nays will rise. [After counting.] Sixty-five gentlemen have arisen. Twenty-eight is a sufficient number, and the Clerk will call the roll on the motion to adjourn.

The question was taken; and there were—yeas 63, nays 201, not voting, 159, as follows:

[Roll No. 59.]

YEAS—63.

Adamson	Davenport	Helm	Post
Aiken	Dies	Henry	Ragsdale
Ashbrook	Doughton	Hoxworth	Rayburn
Aswell	Dupré	Hughes, Ga.	Saunders
Bailey	Eagle	Hull	Slayden
Bell, Ga.	Fergusson	Johnson, S. C.	Small
Booher	Ferris	Kirkpatrick	Stedman
Borchers	Fields	Lazaro	Stephens, Miss.
Byrnes, S. C.	Finley	Lee, Ga.	Taggart
Callaway	Fordney	Lever	Tribble
Carlin	Glass	Moon	Vinson
Chandler, N. Y.	Gordon	Morgan, Okla.	Weaver
Claypool	Gregg	Murray	Webb
Cline	Hardy	Page, N. C.	Witherspoon
Collier	Harrison	Park	Young, Tex.
Crisp	Heflin	Parker, N. J.	

NAYS—201.

Abercrombie	Edmonds	Konop	Rainey
Adair	Esch	Lafferty	Raker
Alexander	Evans	La Follette	Rauch
Allen	Fairchild	Langham	Relly, Conn.
Anderson	Falconer	Langley	Relly, Wis.
Austin	Farr	Lenroot	Rogers
Baker	Fess	Levy	Rouse
Baltz	FitzHenry	Lewis, Md.	Rubey
Barchfeld	Flood, Va.	Lieb	Russell
Barkley	Floyd, Ark.	Lindbergh	Seldomridge
Barton	Foster	Linthicum	Shackelford
Beakes	Fowler	Lobeck	Sherley
Beall, Tex.	Francis	Loneragan	Sherwood
Bell, Cal.	French	McAndrews	Sims
Britten	Gallagher	McKellar	Sinnott
Brown, N. Y.	Gallivan	McKenzie	Sloan
Browne, Wis.	Garner	McLaughlin	Smith, Idaho
Browning	Garrett, Tenn.	MacDonald	Smith, J. M. C.
Brumbaugh	Garrett, Tex.	Madden	Smith, Minn.
Bryan	Gill	Maguire, Nebr.	Smith, N. Y.
Buchanan, Ill.	Gillett	Mapes	Smith, Saml. W.
Buchanan, Tex.	Gilmore	Martin	Smith, Tex.
Bulkley	Gittins	Metz	Stafford
Burke, S. Dak.	Goodwin, Ark.	Miller	Steenerson
Burke, Wis.	Gray	Mitchell	Stephens, Cal.
Burnett	Green, Iowa	Mondell	Stephens, Nebr.
Byrnes, Tenn.	Greene, Mass.	Morrison	Stephens, Tex.
Candler, Miss.	Greene, Vt.	Moss, Ind.	Stevens, Minn.
Caraway	Guernsey	Moss, W. Va.	Stevens, N. H.
Carter	Hamilton, Mich.	Mott	Stone
Church	Hamilton, N. Y.	Mulkey	Stout
Clancy	Hamlin	Murdock	Stringer
Coady	Hayden	Neeley, Kans.	Summers
Connelly, Kans.	Helgesen	Neely, W. Va.	Sutherland
Connolly, Iowa	Helvering	Nelson	Talcott, N. Y.
Cooper	Hill	Norton	Tavener
Cox	Hinds	O'Hair	Ten Eyck
Cramton	Hinebaugh	Oldfield	Thomas
Cullop	Houston	Padgett	Thompson, Okla.
Curry	Hughes, W. Va.	Paige, Mass.	Towner
Davis	Humphreys, Miss.	Palmer	Vaughan
Decker	Igoe	Parker, N. Y.	Vollmer
Deltrick	Jacoway	Peters	Volstead
Dershem	Johnson, Ky.	Peterson	Walsh
Dickinson	Keating	Phelan	Watkins
Dillon	Kennedy, Conn.	Platt	Wingo
Dixon	Kennedy, Iowa	Plumley	Woods
Donovan	Kent	Porter	Young, N. Dak.
Doolittle	Kindel	Pou	
Driscoll	Kinkaid	Powers	
Eagan	Knowland, J. R.	Quin	

NOT VOTING—159.

Ainey	Dooling	Howard	Morgan, La.
Anthony	Doremus	Howell	Morin
Avis	Drukker	Hulings	Nolan, J. I.
Barnhart	Dunn	Humphrey, Wash.	O'Brien
Bartholdt	Edwards	Johnson, Utah	Oglesby
Bartlett	Elder	Johnson, Wash.	O'Shaunessy
Bathrick	Estopinal	Jones	Patten, N. Y.
Blackmon	Faison	Kahn	Patton, Pa.
Borland	Fitzgerald	Keister	Price
Bowdle	Frear	Kelley, Mich.	Prouty
Brockson	Gard	Kelly, Pa.	Reed
Brodbeck	Gardner	Kennedy, R. I.	Riordan
Broussard	George	Kettner	Roberts, Mass.
Brown, W. Va.	Gerry	Key, Ohio	Roberts, Nev.
Bruckner	Godwin, N. C.	Kless, Pa.	Rothermel
Burgess	Goeke	Kitchin	Rucker
Burke, Pa.	Goldfogle	Korby	Rupley
Butler	Good	Kreider	Sabath
Calder	Gorman	Lee, Pa.	Scott
Campbell	Goulden	L'Engle	Scully
Cantor	Graham, Ill.	Leshner	Sells
Cantrill	Graham, Pa.	Lewis, Pa.	Shreve
Carew	Griest	Lindquist	Sisson
Carr	Griffin	Lloyd	Slomp
Cary	Gudger	Loft	Smith, Md.
Casey	Hamill	Logue	Sparkman
Clark, Fla.	Harris	McClellan	Stanley
Conry	Hart	McGillcuddy	Switzer
Copley	Haugen	McGuire, Okla.	Talbot, Md.
Crosser	Hawley	Mahan	Taylor, Ala.
Dale	Hay	Maher	Taylor, Ark.
Danforth	Hayes	Manahan	Taylor, Colo.
Dent	Hensley	Mann	Taylor, N. Y.
Defenderfer	Hobson	Montague	Temple
Donohoe	Holland	Moore	Thacher

Thomson, Ill.	Underwood	Watson	Wilson, Fla.
Townsend	Vare	Whaley	Wilson, N. Y.
Treadway	Walker	Whitacre	Winslow
Tuttle	Wallin	White	Woodruff
Underhill	Walters	Williams	

So the motion to adjourn was rejected.

The Clerk announced the following pairs:

For the session:

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. GRAHAM of Illinois with Mr. AINEY.

Mr. WILSON of Florida with Mr. DUNN.

Mr. MCGILLICUDDY with Mr. DANFORTH.

Mr. CONRY with Mr. KENNEDY of Rhode Island.

Mr. DALE with Mr. SWITZER.

Mr. WHALEY with Mr. HAMILTON of New York.

Mr. BARNHART with Mr. ANTHONY.

Mr. BARTLETT with Mr. BUTLER.

Mr. BLACKMON with Mr. AVIS.

Mr. BORLAND with Mr. CALDER.

Mr. BROWN of West Virginia with Mr. CAMPBELL.

Mr. BURGESS with Mr. CARY.

Mr. CANTRILL with Mr. BURKE of Pennsylvania.

Mr. CASEY with Mr. DRUKKER.

Mr. CLARK of Florida with Mr. FREAR.

Mr. DENT with Mr. COPLEY.

Mr. DOREMUS with Mr. GOOD.

Mr. EDWARDS with Mr. GRIEST.

Mr. ESTOPINAL with Mr. GRAHAM of Pennsylvania.

Mr. FITZGERALD with Mr. HAUGEN.

Mr. GOLDFOGLE with Mr. HAWLEY.

Mr. GOULDEN with Mr. HAYES.

Mr. HAY with Mr. HOWELL.

Mr. HOWARD with Mr. HUMPHREY of Washington.

Mr. HOLLAND with Mr. JOHNSON of Utah.

Mr. KEY of Ohio with Mr. JOHNSON of Washington.

Mr. KITCHIN with Mr. KAHN.

Mr. LEE of Pennsylvania with Mr. KEISTER.

Mr. LESHER with Mr. KELLEY of Michigan.

Mr. LLOYD with Mr. LEWIS of Pennsylvania.

Mr. DOOLING with Mr. LINDQUIST.

Mr. MORGAN of Louisiana with Mr. MANAHAN.

Mr. O'SHAUNESSY with Mr. MCGUIRE of Oklahoma.

Mr. PATTEN of New York with Mr. MOORE.

Mr. PRICE with Mr. MORIN.

Mr. RIORDAN with Mr. PATTON of Pennsylvania.

Mr. RUCKER with Mr. PROUTY.

Mr. SABATH with Mr. ROBERTS of Nevada.

Mr. SCULLY with Mr. ROBERTS of Massachusetts.

Mr. SISSON with Mr. SCOTT.

Mr. SPARKMAN with Mr. SELLS.

Mr. TALBOTT of Maryland with Mr. SHREVE.

Mr. TAYLOR of Arkansas with Mr. SLEMP.

Mr. TAYLOR of Colorado with Mr. TEMPLE.

Mr. WALKER with Mr. TREADWAY.

Mr. WATSON with Mr. VARE.

Mr. WILLIAMS with Mr. WALLIN.

Mr. CAREW with Mr. WINSLOW.

Mr. MAHER with Mr. KIESS of Pennsylvania.

Mr. JONES with Mr. KRIEDER.

Mr. GOODWIN of Arkansas. Mr. Speaker, on a second roll call before my name was reached I voted "nay," thinking the Clerk called by name. I may have been mistaken, owing to the great confusion in the Hall. It may have been that the Clerk called the name of Mr. Godwin of North Carolina, which sounds very much like my own.

The SPEAKER. The Chair will inquire if Mr. Godwin of North Carolina voted on this roll call, or if he is here. [After a pause.] Does any gentleman from North Carolina know whether Mr. Godwin was in the room or not? [After a pause.] The Chair gets no response. There is no question but the gentleman from Arkansas [Mr. Goodwin] has voted.

The result of the vote was announced as above recorded.

Mr. BYRNES of South Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNES of South Carolina. Before the motion to adjourn was made a second was demanded and tellers were ordered on the question of ordering a second. Upon the announcement of the vote by tellers the yeas and nays were ordered on the point of no quorum being made. Does the vote now recur on ordering a second?

The SPEAKER. No. The motion is to suspend the rules and pass the bill.

Mr. MANN. Mr. Speaker, the roll call discloses the presence of a quorum.

Mr. PALMER. The only other question was the point of no quorum. That has been disposed of.

The SPEAKER. That is true. The Doorkeeper will open the doors.

Mr. BYRNES of South Carolina. Mr. Speaker, when the vote was taken by tellers the point of no quorum was made.

The SPEAKER. Not when taken by tellers.

Mr. BYRNES of South Carolina. No quorum was present when the vote was taken by tellers.

The SPEAKER. The Chair does not recall that anybody raised the point on the vote by tellers on ordering the second.

Mr. BYRNES of South Carolina. The point was raised, Mr. Speaker.

The SPEAKER. The Chair understood that the point of no quorum was made on the motion to suspend the rules and pass the bill.

Mr. BYRNES of South Carolina. That motion was made. The gentleman from Georgia [Mr. TRIBBLE] made the point of no quorum when the announcement of the vote by tellers was made on ordering a second.

Mr. TRIBBLE. That is correct.

The SPEAKER. In any event a quorum is now present.

Mr. TRIBBLE. There was no quorum present when the vote was taken by tellers on ordering a second. I made the point of order that no quorum was present.

The SPEAKER. A quorum is present now.

Mr. BYRNES of South Carolina. The contention is that the vote on ordering a second should now be taken again.

The SPEAKER. That is exactly what is going to happen if the gentleman will give the Chair a chance to put the question.

Mr. CRISP. Mr. Speaker, if the Chair will indulge me, the vote by tellers on ordering a second was no vote, because immediately upon the announcement of the result of the vote the point of order of no quorum was made.

The SPEAKER. The Chair will ascertain what the Reporter's notes show.

Mr. MANN. Mr. Speaker, as a matter of fact, after the vote was taken by tellers, the gentleman from Georgia [Mr. TRIBBLE] did make the point of order of no quorum. I do not think anyone understood that that was on the vote by tellers, but if he claims it was, the vote now would be on ordering a second by tellers.

Mr. TRIBBLE. That was the purpose of my making the point.

The SPEAKER. The Chair will state that the Reporter's notes show that the gentleman from Georgia is correct in his contention as to when he made the point of order of no quorum.

Mr. PALMER. The point of order of no quorum was made, and the Chair then counted, and the Chair determined that no quorum was present. A motion was then made that the House adjourn. That vote was taken by the yeas and nays and the roll disclosed the presence of a quorum. That settles the question of whether a quorum is present, and the motion to suspend the rules having been seconded by a majority by tellers, there is nothing in order now except 40 minutes of debate.

Mr. ADAMSON. Mr. Speaker—

Mr. MANN. Let us take the vote by tellers.

The SPEAKER. The gentleman from Georgia.

Mr. ADAMSON. Mr. Speaker, I distinctly remember the gentleman from Georgia [Mr. TRIBBLE]—

The SPEAKER. There is no question about that.

Mr. ADAMSON. But in regard to the other matter. The gentleman asked the question as to what the roll call would be on, whether it would be on tellers or on the motion to adjourn.

The SPEAKER. It was on the motion to adjourn.

Mr. ADAMSON. Then after the gentleman had made it he asked the question.

The SPEAKER. Of course you could not vote on a motion until after it was made.

Mr. ADAMSON. But when the point of no quorum is settled—

The SPEAKER. But there is a quorum here now.

Mr. ADAMSON. Of course; but the question is, ought the vote by tellers be taken again?

The SPEAKER. What is the statement of the gentleman from Illinois?

Mr. MANN. The gentleman from Georgia claims that he made a point of no quorum on the vote by tellers. I do not think the Speaker so understood—

Mr. BURKE of South Dakota. I was watching closely the proceedings, and if the Speaker will allow me to state—

Mr. MANN (continuing). If so, the proper thing to have done would have been to have had the roll call on seconding the motion.

Mr. BURKE of South Dakota (continuing). After the Speaker put the question, the gentleman from Georgia made the point of no quorum.

Mr. TRIBBLE. Correct.

Mr. BURKE of South Dakota. That is what transpired; and then the motion to adjourn was made.

Mr. TRIBBLE. Correct.

The SPEAKER. A motion to adjourn takes precedence over the other, and the thing to do is to vote on whether this matter is seconded or not. The question is on seconding the motion to suspend the rules.

The question was taken; and the tellers (Mr. PALMER and Mr. BYRNES of South Carolina) reported that there were—ayes 140, noes 27.

Mr. TRIBBLE and Mr. BYRNES of South Carolina. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. The Chair will count.

Mr. RAGSDALE. Mr. Speaker, I move to adjourn.

Mr. MANN. I make the point of order that the motion to adjourn is dilatory.

The SPEAKER. The Chair thinks it is.

Mr. PALMER. Mr. Speaker, I move a call of the House.

The SPEAKER. The Chair will count to see if a quorum is present.

Mr. TRIBBLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TRIBBLE. We have just had the Members of the House pass through tellers, and the record shows there is no quorum present.

The SPEAKER. The record does not show anything of the sort. The record shows that a quorum did not vote.

Mr. TRIBBLE. All right.

The SPEAKER. The Chair will count. [After counting.]

One hundred and eighty-seven Members are present—not a quorum.

Mr. TRIBBLE. Mr. Speaker, I move to adjourn.

Mr. PALMER and Mr. MANN. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. The Chair thinks it is dilatory. The question is on seconding the motion to suspend the rules. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 212, nays 45, answered "present" 3, not voting 163, as follows:

[Roll No. 60.]

YEAS—212.

Abercrombie	Doremus	Kent	Porter
Adair	Driscoll	Key, Ohio	Post
Alexander	Dupré	Kindel	Pou
Allen	Eagan	Kinkaid	Powers
Anderson	Edmonds	Kirkpatrick	Quin
Anthony	Esch	Knowland, J. R.	Rainey
Ashbrook	Evans	Konop	Raker
Aswell	Fairchild	Lafferty	Rauch
Austin	Falconer	La Follette	Reilly, Conn.
Bailey	Farr	Langham	Reilly, Wis.
Baker	Fergusson	Langley	Rogers
Baltz	Ferris	Lazaro	Rouse
Barchfeld	Fess	Lenroot	Rubey
Barkley	Fields	Lewis, Md.	Russell
Barton	FitzHenry	Lieb	Seldomridge
Bathrick	Foster	Lindbergh	Shackelford
Benkes	Fowler	Linthicum	Sherley
Bell, Cal.	Francis	Lloyd	Sherwood
Borchers	French	Lobeck	Sims
Bowdle	Gallagher	Loneragan	Sinnott
Britten	Gallivan	McAndrews	Sloan
Brown, N. Y.	Garner	McKellar	Smith, Idaho
Browne, Wis.	Garrett, Tenn.	McKenzie	Smith, J. M. C.
Browning	Garrett, Tex.	McLaughlin	Smith, Minn.
Brumbaugh	Gill	MacDonald	Smith, N. Y.
Bryan	Gillett	Madden	Smith, Saml. W.
Buchanan, Ill.	Gilmore	Maguire, Nebr.	Smith, Tex.
Bulkley	Gittins	Mapes	Stafford
Burke, S. Dak.	Glass	Martin	Steenerson
Burke, Wis.	Gordon	Metz	Stephens, Cal.
Burnett	Graham, Ill.	Miller	Stephens, Tex.
Byrnes, Tenn.	Gray	Mitchell	Stevens, Minn.
Carter	Green, Iowa	Mondell	Stevens, N. H.
Church	Greene, Mass.	Montague	Stone
Clancy	Greene, Vt.	Morgan, Okla.	Stout
Cline	Gregg	Morrison	Stringer
Cody	Guernsey	Moss, Ind.	Summers
Collier	Hamilton, Mich.	Moss, W. Va.	Sutherland
Connolly, Iowa	Hamlin	Mott	Taggart
Cooper	Hardy	Mulkey	Talcott, N. Y.
Cox	Hayden	Murdock	Tavener
Cullop	Heffin	Neeley, Kans.	Thomas
Curry	Helgesen	Neely, W. Va.	Thompson, Okla.
Davenport	Helvering	Nelson	Towner
Davis	Hill	Padgett	Vaughan
Decker	Hinds	Paige, Mass.	Vollmer
Deitrick	Hinebaugh	Palmer	Volstead
Dershem	Houston	Parker, N. Y.	Walsh
Dickinson	Hull	Peters	Watkins
Dillon	Igoe	Peterson	Williams
Dixon	Keating	Phelan	Woods
Donovan	Kennedy, Conn.	Platt	Young, N. Dak.
Doolittle	Kennedy, Iowa	Plumley	Young, Tex.

NAYS—45.

Adamson	Doughton	Lever	Stedman
Aiken	Eagle	Moon	Stephens, Miss.
Beall, Tex.	Floyd, Ark.	Murray	Taylor, Ark.
Bell, Ga.	Fordney	Norton	Tribble
Brockson	Goodwin, Ark.	O'Hair	Vinson
Buchanan, Tex.	Harrison	Oldfield	Weaver
Byrnes, S. C.	Helm	Page, N. C.	Webb
Callaway	Hughes, Ga.	Park	Wingo
Candler, Miss.	Humphreys, Miss.	Parker, N. J.	Witherspoon
Caraway	Jacoway	Ragsdale	
Crisp	Johnson, S. C.	Rayburn	
Dies	Kitchin	Small	

ANSWERED "PRESENT"—3.

Flood, Va.

Levy

Mann

NOT VOTING—163.

Ainey	Elder	Jones	Rupley
Avis	Estopinal	Kahn	Sabath
Barnhart	Faison	Keister	Saunders
Bartholdt	Finley	Kelley, Mich.	Scott
Bartlett	Fitzgerald	Kelly, Pa.	Scully
Blackmon	Frear	Kennedy, R. I.	Sells
Booher	Gard	Kettner	Shreve
Borland	Gardner	Kiess, Pa.	Slisson
Brodbeck	George	Korbly	Slayden
Broussard	Gerry	Kreider	Slemp
Brown, W. Va.	Godwin, N. C.	Lee, Ga.	Smith, Md.
Bruckner	Goeke	Lee, Pa.	Sparkman
Burgess	Goldfogle	L'Engle	Stanley
Burke, Pa.	Good	Leshner	Stephens, Nebr.
Butler	Gorman	Lewis, Pa.	Switzer
Calder	Goulden	Lindquist	Talbot, Md.
Campbell	Graham, Pa.	Loft	Taylor, Ala.
Cantor	Griest	Logue	Taylor, Colo.
Cantrill	Griffin	McClellan	Taylor, N. Y.
Carew	Gudger	McGillicuddy	Temple
Carlin	Hamill	McGuire, Okla.	Ten Eyck
Carr	Hamilton, N. Y.	Mahan	Thacher
Cary	Harris	Maher	Thomson, Ill.
Casey	Hart	Manahan	Townsend
Chandler, N. Y.	Haugen	Moore	Treadway
Clark, Fla.	Hawley	Morgan, La.	Tuttle
Claypool	Hay	Morin	Underhill
Connelly, Kans.	Hayes	Nolan, J. I.	Underwood
Conry	Henry	O'Brien	Vare
Copley	Hensley	Oglesby	Walker
Cramton	Hobson	O'Shaunessy	Wallin
Crosser	Holland	Patten, N. Y.	Walters
Dale	Howard	Patton, Pa.	Watson
Danforth	Howell	Price	Whaley
Dent	Hoxworth	Prouty	Whitacre
Defenderfer	Hughes, W. Va.	Reed	White
Donohoe	Hullings	Riordan	Wilson, Fla.
Dooling	Humphrey, Wash.	Roberts, Mass.	Wilson, N. Y.
Drukker	Johnson, Ky.	Roberts, Nev.	Winslow
Dunn	Johnson, Utah	Rothermel	Woodruff
Edwards	Johnson, Wash.	Rucker	

So a second was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARLIN with Mr. ANTHONY.

Mr. BARNHART with Mr. CHANDLER of New York.

Mr. LEE of Georgia with Mr. CRAMTON.

Mr. BOOHER with Mr. LEWIS of Pennsylvania.

Mr. BROUSSARD with Mr. SLEMP.

Mr. CONNELLY of Kansas with Mr. WALLIN.

Mr. DONOHUE with Mr. GOOD.

Mr. FINLEY with Mr. JOHNSON of Washington.

Mr. GARD with Mr. KAHN.

Mr. HENRY with Mr. HUGHES of West Virginia.

Mr. HENSLEY with Mr. WINSLOW.

Mr. MANN. Mr. Speaker, I voted "yea." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, but I do not think he voted. Therefore I withdraw my vote of "yea" and vote "present."

The SPEAKER. A quorum is present, and the House seconds the motion to suspend the rules and pass the bill. The Doorkeeper will open the doors.

The gentleman from Pennsylvania [Mr. PALMER] has 20 minutes and the gentleman from South Carolina [Mr. BYRNES] 20 minutes.

Mr. RAGSDALE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. PALMER. Mr. Speaker, I ask that the Chair advise me when I have consumed five minutes.

Mr. RAGSDALE. Mr. Speaker, on account of the fact that we are to have a caucus to-night, I rise to move to adjourn.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] has the floor.

Mr. PALMER. Mr. Speaker, I will say to the gentleman from South Carolina and other gentlemen that there is no reason why the consideration of this bill should interfere with the caucus to-night. Forty minutes' debate will take us only up to 20 minutes of 7, and the bill can be easily passed in order to allow the Members to get to the caucus at 8 o'clock.

Now, Mr. Speaker, this is a Federal child-labor bill. The bill in its original form is the best thought of all of the social workers of the country who have given time and attention to this

very important question of child labor. The bill was originally drafted by the National Child Labor Committee after a conference with child-labor committees of various States. I want to say at the outset that in its present form, though it is changed somewhat from the original form, it is satisfactory to and has the unqualified approval and indorsement of every child-labor association of America, not only the National Child Labor Committee but also the various child-labor associations of the different States as well.

Now, what the bill does is this: It fixes a standard for child labor, and prohibits from interstate commerce the product of any mine, or quarry, or any mill, factory, or workshop which is produced by children below that standard, and the standard is this: Sixteen years in mines and quarries and 14 years in mills, factories, workshops, canneries, and manufacturing establishments, and provides an eight-hour day, six days a week, and no nightwork; that is, there is to be no labor for children between the hours of 7 p. m. and 7 a. m.

Mr. TRIBBLE. Will the gentleman yield?

Mr. PALMER. For a question.

Mr. TRIBBLE. Suppose a boy 15 years old were gathering peaches in Georgia and those peaches were carried to the cannery and he had a part in canning them, and those were shipped from the State of Georgia?

Mr. PALMER. He would not be working in a cannery.

Mr. TRIBBLE. But suppose he were working in a cannery.

Mr. PALMER. If he were working in a cannery and were under 14 years of age, the product of his labor would be kept out of interstate commerce.

Mr. BURNETT. Will the gentleman yield?

Mr. PALMER. I will.

Mr. BURNETT. There seems to be an impression among some of my colleagues of the South that this would prevent the working of girls in little home canning clubs. There is nothing of that kind, is there?

Mr. PALMER. There is nothing of that kind. The kitchen stove is not a cannery, and a kitchen cannery is not within the purview of this act. Neither does it apply to plantation or farm labor. It must be in the quarries or the mines where the limit is 16 years, and in the workshop where the limit is 14 years.

Mr. TRIBBLE. I will ask the gentleman if he would not favor a bill that provided that cotton could not be shipped out of the South if boys 16 years of age were employed who were raised in the cotton fields instead of going to school?

Mr. PALMER. I am discussing this bill. I have said this does not apply to production in the cotton fields. There is nothing new about these standards. The fact is that 15 States in the Union have adopted the age of 16 years with respect to mines and quarries, and 14 States have adopted the standard age of 14 years in respect to labor in workshops, mills, and factories; 22 States have adopted the standard of forbidding anything more than eight hours a day for children, and I think about an equal number of States have adopted the standard of forbidding any work on the part of any children.

Mr. AUSTIN. Would the gentleman include in his remarks a list of those States?

Mr. PALMER. Yes; and I will say that the report of the committee, which is very full on this subject, does include the names of all the States where these standards have been fixed.

Now, the purpose of this bill is to take this accepted and generally employed standard—

The SPEAKER. The gentleman from Pennsylvania has consumed five minutes.

Mr. RAGSDALE. Mr. Speaker, I make the point that there is no quorum present.

Mr. PALMER. Just one moment. I have the floor; and to analyze that standard—

Mr. RAGSDALE. Mr. Speaker, can not a Member make a point of no quorum at any time?

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. RAGSDALE. To make a point of no quorum.

The SPEAKER. The Chair will ascertain by counting.

Mr. PALMER. Mr. Speaker, I make the point that that is dilatory.

Mr. RAGSDALE. Why, it is apparent on the face of it, Mr. Speaker, that a quorum is not here.

The SPEAKER. The rule about it is that but one motion to adjourn is in order under a suspension of the rules unless a quorum disappears. The Chair will count. (After counting.) One hundred and fifty-one Members are present—not a quorum.

Mr. RAGSDALE. Mr. Speaker, I move that we do now adjourn.

Mr. PALMER. I move a call of the House, Mr. Speaker.

Mr. MANN. Mr. Speaker, I make the point of order that the House has voted down a motion to adjourn since the motion to suspend the rules was made, and under paragraph 8 of rule 16, which reads—

Pending the motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion until the vote is taken on suspension—

But one motion could be made since the motion was made to suspend the rules.

The SPEAKER. Let the gentleman read the rest of that.

Mr. RAGSDALE. But, Mr. Speaker—

Mr. MANN. I have read the entire rule.

The SPEAKER. You read the entire rule, but you did not read the decisions on it.

Mr. PALMER. The rule is so plain that there ought not to be any doubt about it.

The SPEAKER. Section 5744, volume 5, Hinds' Precedents, reads:

A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated.

Now, the Chair will inquire of the gentleman from Illinois if that is not the exact situation here?

Mr. MANN. No. I think if the point of no quorum is made, and the Chair decides there is no quorum present, then a motion to adjourn is in order.

Mr. RAGSDALE. All that took place, Mr. Speaker.

Mr. MANN. I did not understand the Speaker to have declared that there is no quorum present.

Mr. RAGSDALE. Yes; he did.

Mr. MANN. Just now?

Mr. RAGSDALE. Yes.

Mr. MANN. I was not aware of it.

Mr. RUSSELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUSSELL. Does the gentleman from Pennsylvania [Mr. PALMER] lose the floor when a point of order is made?

The SPEAKER. Until that is disposed of he does; and the Chair has announced that there is not a quorum present, and now the gentleman from South Carolina [Mr. RAGSDALE] moves to adjourn.

Mr. PALMER. Mr. Speaker, can a Member take another Member off the floor by raising a point of no quorum?

The SPEAKER. He can on a point of order.

Mr. RUSSELL. If an order is sent out to bring Members in, would not the gentleman from Pennsylvania have the right to the floor?

The SPEAKER. He would not. The trouble is that the quorum has disappeared. The gentleman from South Carolina [Mr. RAGSDALE] raised the point of no quorum, as he had the absolute right to do, and after that nothing except one of two things is in order—a motion to adjourn or a call of the House. Now, if it had turned out on the Speaker's count that there was a quorum here he would not have had any right to make a second motion to adjourn, although there is a decision here that sort of squints that way, but does not decide it clearly.

Mr. CRISP. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. CRISP. The House having seconded this motion to suspend the rules and pass the bill, if the House should adjourn would not this motion come up as the unfinished business on the next day that the suspension of the rules was in order?

The SPEAKER. It undoubtedly would.

Mr. PALMER. That would be four days before the end of the session.

The SPEAKER. The gentleman from South Carolina [Mr. RAGSDALE] moves to adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. PALMER. A division, Mr. Speaker.

The House divided; and there were—ayes 45, noes 124.

Mr. RAGSDALE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 34, nays 184, not voting 205, as follows:

[Roll No. 61.]

YEAS—34.

Aiken	Eagle	Jacoway	Smith, N. Y.
Bell, Ga.	Fergusson	Lafferty	Stephens, Miss.
Borchers	Floyd, Ark.	Lee, Ga.	Stephens, Nebr.
Brockton	Goodwin, Ark.	Oldfield	Vinson
Byrnes, S. C.	Gregg	Page, N. C.	Webb
Callaway	Hardy	Park	Whaley
Candler, Miss.	Harrison	Ragsdale	Wingo
Caraway	Helm	Rothermel	
Dies	Hughes, Ga.	Small	

NAYS—184.

Abercrombie	Dillon	Kent	Porter
Adair	Dixon	Key, Ohio	Powers
Alexander	Donovan	Kinkaid	Quin
Allen	Doolittle	Kirkpatrick	Rainey
Anderson	Doremus	Kitchin	Raker
Anthony	Driscoll	Knowland, J. R.	Rauch
Ashbrook	Eagan	Konop	Reilly, Conn.
Aswell	Edmonds	La Follette	Reilly, Wis.
Austin	Esch	Langley	Rogers
Bailey	Falconer	Lazaro	Rouse
Baker	Farr	Lenroot	Rubey
Baltz	Ferris	Lewis, Md.	Russell
Barchfeld	Fess	Lieb	Seldomridge
Barkley	Fields	Lindbergh	Shackleford
Barton	FitzHenry	Linthicum	Sherley
Bathrick	Flood, Va.	Lloyd	Sherwood
Beakes	Foster	Loneragan	Sims
Bell, Cal.	Fowler	McAndrews	Sinnott
Britten	French	McKellar	Sloan
Brown, N. Y.	Gallagher	McKenzie	Smith, Idaho
Browne, Wis.	Gallivan	McLaughlin	Smith, J. M. C.
Browning	Garner	MacDonald	Smith, Minn.
Bryan	Garrett, Tex.	Maguire, Nebr.	Smith, Saml. W.
Buchanan, Ill.	Gill	Mann	Smith, Tex.
Buchanan, Tex.	Gillett	Mapes	Stafford
Bulkley	Gilmore	Martin	Stephens, Cal.
Burke, S. Dak.	Glass	Metz	Stephens, Tex.
Burke, Wis.	Gordon	Miller	Stevens, Minn.
Burnett	Graham, Ill.	Mondell	Stevens, N. H.
Byrnes, Tenn.	Gray	Morgan, Okla.	Stone
Carlin	Greene, Mass.	Moss, Ind.	Stringer
Carter	Greene, Vt.	Moss, W. Va.	Summers
Clancy	Guernsey	Mulkey	Talcott, N. Y.
Cline	Hamilton, Mich.	Murdoch	Tavener
Coady	Hamlin	Nelson	Taylor, Ark.
Collier	Heflin	Norton	Thomas
Connolly, Iowa	Helgesen	Padgett	Thompson, Okla.
Cooper	Hill	Palge, Mass.	Towner
Cox	Hinds	Palmer	Vaughan
Cramton	Hinebaugh	Parker, N. J.	Volstead
Crisp	Humphreys, Miss.	Parker, N. Y.	Walsh
Cullop	Igoe	Patton, Pa.	Watkins
Curry	Keating	Peters	Whitacre
Davenport	Kelster	Phelan	Williams
Decker	Kennedy, Conn.	Platt	Woods
Dershem	Kennedy, Iowa	Plumley	Young, N. Dak.

NOT VOTING—205.

Adamson	Fairchild	Kelley, Mich.	Roberts, Nev.
Ainey	Faison	Kelly, Pa.	Rucker
Avis	Finley	Kennedy, R. I.	Rupley
Barnhart	Fitzgerald	Kettner	Sabath
Bartholdt	Fordney	Kless, Pa.	Saunders
Bartlett	Francis	Kindel	Scott
Beall, Tex.	Frear	Korbly	Scully
Blackmon	Gard	Kreider	Sells
Booher	Gardner	Langham	Shreve
Borland	Garrett, Tenn.	Lee, Pa.	Sisson
Bowdie	George	L'Engle	Slayden
Brodbeck	Gerry	Leshner	Slemp
Broussard	Gittins	Lever	Smith, Md.
Brown, W. Va.	Godwin, N. C.	Levy	Sparkman
Bruckner	Goeke	Lewis, Pa.	Stanley
Brumbaugh	Golfogle	Lindquist	Stedman
Burgess	Good	Lobeck	Steenerson
Burke, Pa.	Gorman	Loft	Stout
Butler	Goulden	Logue	Sutherland
Calder	Graham, Pa.	McClellan	Switzer
Campbell	Green, Iowa	McGillcuddy	Taggart
Cantor	Griest	McGuire, Okla.	Talbot, Md.
Cantrill	Griffin	Madden	Taylor, Ala.
Carew	Gudger	Mahan	Taylor, Colo.
Carr	Hamill	Maher	Taylor, N. Y.
Cary	Hamilton, N. Y.	Manahan	Temple
Casey	Harris	Mitchell	Ten Eyck
Chandler, N. Y.	Hart	Montague	Thacher
Church	Haugen	Moon	Thomson, Ill.
Clark, Fla.	Hawley	Moore	Townsend
Claypool	Hay	Morgan, La.	Treadway
Connelly, Kans.	Hayden	Morin	Tribble
Conry	Hayes	Morrison	Tuttle
Copley	Helvering	Mott	Underhill
Crosser	Henry	Murray	Underwood
Dale	Hensley	Neeley, Kans.	Vare
Danforth	Hobson	Neely, W. Va.	Vollmer
Davis	Holland	Nolan, J. I.	Walker
Deitrick	Houston	O'Brien	Wallin
Dent	Howard	Oglesby	Walters
Dickinson	Howell	O'Hair	Watson
Diffenderfer	Hoxworth	O'Shaunessy	Weaver
Donohoe	Hughes, W. Va.	Patten, N. Y.	White
Dooling	Hullings	Peterson	Wilson, Fla.
Doughton	Hull	Post	Wilson, N. Y.
Drukker	Humphrey, Wash.	Pou	Winslow
Dunn	Johnson, Ky.	Price	Witherspoon
Dupré	Johnson, S. C.	Prouty	Woodruff
Edwards	Johnson, Utah	Rayburn	Young, Tex.
Elder	Johnson, Wash.	Reed	
Estopinal	Jones	Riordan	
Evans	Kahn	Roberts, Mass.	

So the House refused to adjourn.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ADAMSON with Mr. BARTHOLOTT.

Mr. DICKINSON with Mr. BARTON.

Mr. DOUGHTON with Mr. DAVIS.

Mr. DUPRE with Mr. FAIRCHILD.

Mr. EVANS with Mr. FORDNEY.

Mr. HAYDEN with Mr. GREEN of Iowa.

Mr. HOUSTON with Mr. LANGHAM.

Mr. HULL with Mr. MADDEN.

Mr. JOHNSON of South Carolina with Mr. STEENERSON.

Mr. LEVER with Mr. SUTHERLAND.

Mr. LOBECK with Mr. DRUKKER.

Mr. MOON with Mr. HAYES.

Mr. MONTAGUE with Mr. LEWIS of Pennsylvania.

Mr. MORRISON with Mr. MORIN.

Mr. POU with Mr. WOODRUFF.

Mr. SLAYDEN with Mr. WINSLOW.

Mr. SAUNDERS with Mr. J. I. NOLAN.

Mr. UNDERWOOD with Mr. KAHN.

Mr. KINDEL. Mr. Speaker, I should like to vote.

The SPEAKER. Was the gentleman in the Hall, listening, when his name should have been called?

Mr. KINDEL. No; I was not.

The SPEAKER. Then the gentleman can not vote.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present.

Mr. RAGSDALE. Mr. Speaker, how many Members voted?

The SPEAKER. Two hundred and seventeen Members voted, and it takes only 213 to make a quorum now. There are 11 vacancies.

Mr. PALMER. Mr. Speaker, I will ask the gentleman from South Carolina [Mr. BYRNES] to use his time.

The SPEAKER. The gentleman from South Carolina [Mr. BYRNES] is recognized for 20 minutes.

Mr. BYRNES of South Carolina. Mr. Speaker, I am not opposed to the prohibition of child labor by the States of the Union, but I am opposed to the Federal Government under the pretense of regulating interstate commerce usurping the powers of the State and fixing the hours of labor for its citizens. The Legislature of the State of South Carolina at this session is considering a bill seeking to raise the age for child labor from 12 to 14 years. Notwithstanding any view I might hold as to the age which children should be forbidden to work in the State of South Carolina, or any view you might hold, I think it is the right of that State and not that of the Federal Government to say at what age a child should be prohibited from working in a factory, cannery, or workshop within the State of South Carolina. Step by step an effort is being made to substitute the power of the Federal Government for that of the State. Under the guise of regulating interstate commerce we now seek to enact the laws fixing the hours during which citizens of the various States may work.

My friend from Pennsylvania [Mr. PALMER] says that this bill does not prohibit one working in a cannery on a farm. It prohibits the shipment in interstate commerce of the products of any mill, cannery, workshop, factory, and so forth, manufactured or produced, in whole or in part, by a child under the age of 14. What is a cannery if it be not a place where fruit and vegetables are canned? How many cans must be put up to bring a cannery within the provision of the law? What shall constitute a cannery? From the orchard peaches are brought into the home of the farmer, and there he and his children and the children of his neighbors, 13 years old—under the age of 14—can the peaches. Are these canned peaches to be denied the right of interstate commerce? As far as the cotton mills are concerned, does this prohibition refer only to the labor in the cotton mills, or does it refer to those who contribute in part to the production of the cotton that is manufactured in the cotton mill? Who is to say what construction will be placed upon the bill by the inspectors and thereafter by the courts who shall pass upon it?

No matter whether or not you gentlemen from South Carolina, Georgia, North Carolina, and other States of the Union favor the prohibition of child labor, I ask, are you willing to surrender the right of your respective States to enact those laws in accord with your own views on the subject?

The gentleman from Pennsylvania [Mr. PALMER] says that there are 16 or 17 States that have laws prohibiting the labor of children under 14 years of age. If this be so, then why insist on this legislation? Conditions differ in different States of the Union. No demand has been shown for this legislation. You have not heard from your constituents any demand for this legislation. Under the pretense of regulating interstate commerce we are to take from the States the power of controlling the hours of labor and place it under the control of the Federal Government. I ask my colleagues on this side of the House to vote against the bill.

Mr. PALMER. Mr. Speaker, I ask for a vote.

Mr. RAGSDALE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from South Carolina makes the point of no quorum, and there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House adjourn.

Mr. PALMER. Mr. Speaker, I ask unanimous consent to address the House for one minute.

Mr. MANN. The House can not give unanimous consent when there is no quorum present.

The SPEAKER. The gentleman from South Carolina moves that the House adjourn.

The question was taken; and on a division (demanded by Mr. RAGSDALE) there were 13 yeas and 97 noes.

Mr. RAGSDALE. I make the point of order that no quorum is present.

The SPEAKER. The Chair has already announced that no quorum is present.

Mr. MANN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll.

The SPEAKER. One hundred and eighty-six Members have answered to their names; not a quorum.

Mr. PALMER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House do now adjourn.

The question was taken.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 93, nays 114, answered "present" 1, not voting 216, as follows:

[Roll No. 62.]

YEAS—93.

Abercrombie	Cox	Hughes, Ga.	Rouse
Adamson	Crisp	Igoe	Rubey
Alexander	Cullop	Jacoway	Rucker
Ashbrook	Dershem	Key, Ohio	Russell
Aswell	Dickinson	Kirkpatrick	Sherley
Baker	Doremus	Lafferty	Sherwood
Bailey	Doughton	Lazaro	Sims
Baltz	Dupré	Lee, Ga.	Small
Barkley	Eagan	Lee, Pa.	Smith, N. Y.
Bell, Ga.	Eagle	Lever	Smith, Tex.
Blackmon	Fergusson	Levy	Stedman
Boeber	Ferris	Lewis, Md.	Stephens, Miss.
Borchers	Finley	Lloyd	Stephens, Nebr.
Bowdle	Flood, Va.	Lobeck	Stephens, Tex.
Brockson	Floyd, Ark.	Mulkey	Summers
Brown, N. Y.	Goodwin, Ark.	O'Hair	Vaughan
Brumbaugh	Gordon	Oldfield	Vinson
Buchanan, Tex.	Hamlin	Padgett	Watkins
Byrnes, S. C.	Hardy	Page, N. C.	Webb
Church	Harrison	Palmer	Williams
Clancy	Hayden	Park	Wingo
Coady	Heflin	Quin	
Collier	Helm	Ragsdale	
Connelly, Kans.	Houston	Rothermel	

NAYS—114.

Adair	FitzHenry	La Follette	Patton, Pa.
Allen	Fowler	Lenroot	Peterson
Austin	French	Lieb	Phelan
Barchfeld	Gallagher	Lindbergh	Porter
Barton	Gallivan	Lindquist	Powers
Bathrick	Garner	Logue	Raker
Beakes	Garrett, Tenn.	Loneragan	Rauch
Bell, Cal.	Garrett, Tex.	McAndrews	Reilly, Conn.
Browne, Wis.	Gill	McKellar	Reilly, Wis.
Browning	Gillett	McKenzie	Rogers
Bryan	Gilmore	McLaughlin	Seldomridge
Buchanan, Ill.	Goeke	MacDonald	Shackelford
Burnett	Graham, Ill.	Maguire, Nebr.	Sinnott
Byrns, Tenn.	Gray	Mapes	Sloan
Carlin	Greene, Mass.	Metz	Smith, Idaho
Cline	Greene, Vt.	Miller	Smith, J. M. C.
Cooper	Gregg	Mitchell	Smith, Minn.
Cramton	Hamilton, Mich.	Mondell	Stephens, Cal.
Curry	Hinebaugh	Morgan, Okla.	Stevens, Minn.
Decker	Howard	Moss, Ind.	Stevens, N. H.
Dillon	Humphreys, Miss.	Moss, W. Va.	Stone
Dixon	Keating	Mott	Tavener
Donohoe	Keister	Murdock	Thomas
Driscoll	Kennedy, Conn.	Nelson	Thompson, Okla.
Edmonds	Kennedy, Iowa	Nolan, J. I.	Volstead
Esch	Kent	Norton	Walsh
Falconer	Kinkaid	Palge, Mass.	Young, N. Dak.
Farr	Knowland, J. R.	Parker, N. J.	
Fess	Konop	Parker, N. Y.	

ANSWERED "PRESENT"—1.

Mann

NOT VOTING—216.

Aiken	Bruckner	Carew	Davenport
Alney	Bulkley	Carr	Davis
Anderson	Burgess	Carter	Deitrick
Anthony	Burke, Pa.	Cary	Dent
Avis	Burke, S. Dak.	Casey	Dies
Barnhart	Burke, Wis.	Chandler, N. Y.	Difenderfer
Bartholdt	Butler	Clark, Fla.	Donovan
Bartlett	Calder	Claypool	Dooling
Beall, Tex.	Callaway	Connolly, Iowa	Doolittle
Borland	Campbell	Conry	Drukker
Britten	Candler, Miss.	Copley	Dunn
Brodbeck	Cantor	Crosser	Edwards
Broussard	Cantrill	Dale	Elder
Brown, W. Va.	Caraway	Danforth	Estopinal

Evans	Hobson	Moore	Stout
Fairchild	Holland	Morgan, La.	Stringer
Faison	Howell	Morin	Sutherland
Fields	Hoxworth	Morrison	Switzer
Fitzgerald	Hughes, W. Va.	Murray	Taggart
Fordney	Hulings	Neeley, Kans.	Talbot, Md.
Foster	Hull	Neely, W. Va.	Talcott, N. Y.
Francis	Humphrey, Wash.	O'Brien	Taylor, Ala.
Frear	Johnson, Ky.	Oglesby	Taylor, Ark.
Gard	Johnson, S. C.	O'Shaunessy	Taylor, Colo.
Gardner	Johnson, Utah	Patten, N. Y.	Taylor, N. Y.
George	Johnson, Wash.	Peters	Temple
Gerry	Jones	Platt	Ten Eyck
Glittins	Kahn	Plumley	Thacher
Glass	Kelley, Mich.	Post	Thomson, Ill.
Godwin, N. C.	Kelly, Pa.	Pou	Towner
Goldfogle	Kennedy, R. I.	Price	Townsend
Good	Kettner	Prouty	Treadway
Gorman	Kless, Pa.	Rainey	Tribble
Goulden	Kindel	Rayburn	Tuttle
Graham, Pa.	Kitchin	Reed	Underhill
Green, Iowa	Korbly	Riordan	Underwood
Griest	Kreider	Roberts, Mass.	Vare
Griffin	Langham	Roberts, Nev.	Vollmer
Gudger	Langley	Rupley	Walker
Guernsey	L'Engle	Sabath	Wallin
Hamill	Leshner	Saunders	Walters
Hamilton, N. Y.	Lewis, Pa.	Scott	Watson
Harris	Linthicum	Scully	Weaver
Hart	Loft	Sells	Whaley
Haugen	McClellan	Shreve	Whitacre
Hawley	McGillcuddy	Sisson	White
Hay	McGuire, Okla.	Slayden	Wilson, Fla.
Hayes	Madden	Slemp	Wilson, N. Y.
Helgesen	Mahan	Smith, Md.	Winslow
Helvering	Maher	Smith, Saml. W.	Witherspoon
Henry	Manahan	Sparkman	Woodruff
Hensley	Martin	Stafford	Woods
Hill	Montague	Stanley	Young, Tex.
Hinds	Moon	Steenerson	The Speaker

Mr. MANN. Mr. Speaker, I voted "No." I am paired with the gentleman from Alabama [Mr. UNDERWOOD]. I desire to withdraw that vote and answer "present."

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is not present.

Mr. MANN. May I ask what was the announcement of the Chair?

The SPEAKER. Yeas 92, nays 113, present 1.

Mr. PALMER. Mr. Speaker, I move a call of the House.

The SPEAKER. We are operating under a call of the House.

Mr. MANN. No. A call of the House was ordered and then the gentleman from Pennsylvania moved to adjourn.

Mr. PALMER. Mr. Speaker, I made a motion to adjourn which has been voted down. If the House does not want to adjourn, we will get the Members and do business, and I move a call of the House. The roll call was on the motion to adjourn.

Mr. MANN. Mr. Speaker, a motion was made and carried awhile ago for a call of the House.

The SPEAKER. The Chair does not understand the gentleman.

Mr. MANN. Was there not a motion for a call of the House awhile ago that prevailed?

The SPEAKER. Yes; they had a call of the House, but the business under the call of the House has never been dispensed with. In the first place, the gentleman from Illinois [Mr. MANN] moved a call of the House; we had a call of the House and failed to develop a quorum.

Mr. MANN. Which was in progress and never has been dispensed with.

The SPEAKER. That is what I say.

Mr. MANN. It is in progress.

The SPEAKER. It is still a part and parcel of the call of the House. If the gentleman wants to make a motion to send out and have the Members arrested, the Chair will entertain it very suddenly.

Mr. PALMER. I make the motion, Mr. Speaker.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] moves that writs be issued for the absent Members, and that they be brought in.

The question was taken, and the motion was agreed to.

Mr. MURDOCK. Mr. Speaker, how does a man vote when he comes in?

The SPEAKER. He votes "present" on this vote. The gentlemen who want to vote now, who have come in since that vote on ordering the call of the House—that is, trying to get a quorum—will answer "present."

Mr. MANN. I would like to inquire whether the tally clerk has the tally on the motion to adjourn or on the call of the House?

The SPEAKER. He ought to have the one on the call of the House.

Mr. MANN. I know what he ought to have, but I think he has the other.

Mr. STOUT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STOUT. On a motion to adjourn I voted "nay."

The SPEAKER. It does not make any difference about the motion to adjourn. This motion is on the call of the House to get a quorum. It is a call of the House. Did the gentleman vote on that or not?

Mr. STOUT. I voted on the call of the House.

The SPEAKER. Then the gentleman does not want to vote on it again.

Mr. STOUT. There was a motion to adjourn in the meantime.

Mr. MANN. Mr. Speaker, I move that the roll be called again for those who did not answer on the call of the House to vote "present."

The SPEAKER. The Clerk will call the roll.

Mr. LOGUE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LOGUE. Is it in order now, under the recent motion to adjourn, to change one's vote?

The SPEAKER. That question has been settled. It is too late. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the names of those who failed to vote on the call of the House shall now be called by the Clerk. Is there objection?

Mr. MURDOCK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. Will not that leave one roll call in the midst of the two halves of the other roll call?

Mr. MANN. Not at all. The motion to adjourn is out of the way, and that roll call is ended.

The SPEAKER. The question of adjourning on the roll call has been settled. The House refused to adjourn; and what the gentleman from Illinois [Mr. MANN] wishes is to have the names of those who failed to vote on the call of the House called now, because it is easier to do that than it is to find out how these men want to vote.

Mr. MURDOCK. Will not that result in a complete roll call being found in the Record in the midst of two halves?

The SPEAKER. The Chair understands, but you can do anything on earth by unanimous consent.

Mr. BUCHANAN of Illinois. I call for the regular order, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MANN]?

Mr. BUCHANAN of Illinois. Mr. Speaker, I object.

Mr. PALMER. I make the motion.

Mr. MANN. The Manual says you can. Although there may not be a quorum present, they may order a roll call again on the call of the House at any time.

The SPEAKER. There is no trouble about it, if the gentlemen who did not vote on the roll call will come forward and separate themselves from those who are standing around there and did vote.

Mr. MANN. I will call the attention of the Speaker to the Manual, page 330, section 752, which says:

But during proceedings under the call—

The SPEAKER. Where is the gentleman reading?

Mr. MANN. From the next paragraph from the bottom, page 330. I read:

But during proceedings under the call the roll may be ordered to be called again by those present.

The SPEAKER. Well, the motion of the gentleman from Pennsylvania [Mr. PALMER], then, is in order, to have this roll called for the absentees. Those in favor of the motion will say "aye"; those opposed will say "no."

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will call the absentees on that roll call.

The Clerk again called the roll, and the following Members failed to answer to their names:

[Roll No. 63.]

Aiken	Butler	Danforth	Gard
Aincy	Calder	Davis	Gardner
Allen	Campbell	Dent	Gerry
Anderson	Candler, Miss.	Difenderfer	Gittins
Anthony	Cantor	Dooling	Glass
Avis	Cantrill	Drukker	Godwin, N. C.
Bailey	Carew	Dunn	Goldfog's
Barnhart	Carr	Edwards	Good
Bartholdt	Cary	Elder	Gorman
Blackmon	Chandler, N. Y.	Evans	Goulden
Borland	Clark, Fla.	Fairchild	Graham, Pa.
Brodbeck	Claypool	Faison	Green, Iowa
Broussard	Collier	Ferris	Griest
Brown, W. Va.	Conry	Fields	Griffin
Bruckner	Copley	Fordney	Gudger
Burgess	Crosser	Francis	Hamill
Burke, Pa.	Dale	Frear	Hamilton, N. Y.

Harris	Korbly	Oglesby	Switzer
Harrison	Kreider	O'Shaunessy	Taylor, Ala.
Hart	Langham	Page, N. C.	Taylor, Colo.
Haugen	Langley	Patten, N. Y.	Taylor, N. Y.
Hawley	Lee, Ga.	Platt	Temple
Hayes	L'Engle	Plumley	Ten Eyck
Helvering	Leshner	Post	Thacher
Henry	Lewis, Pa.	Pou	Thomson, Ill.
Hensley	Lindquist	Price	Townsend
Hobson	Linthicum	Prouty	Treadway
Howell	Loft	Reed	Tuttle
Hoxworth	McClellan	Riordan	Underhill
Hughes, W. Va.	McGillicuddy	Roberts, Mass.	Underwood
Hulings	McGuire, Okla.	Roberts, Nev.	Vare
Hull	Madden	Rupley	Vinson
Humphrey, Wash.	Mahan	Sabath	Walker
Humphreys, Miss.	Maher	Saunders	Wallin
Johnson, Utah	Manahan	Scott	Walters
Johnson, Wash.	Montague	Scully	Watson
Jones	Moon	Sells	Weaver
Kahn	Moore	Shreve	Whaley
Kelley, Mich.	Morgan, La.	Sisson	Whitacre
Kelly, Pa.	Morin	Slemp	White
Kennedy, R. I.	Morrison	Smith, Saml. W.	Wilson, Fla.
Kettner	Neeley, Kans.	Sparkman	Wilson, N. Y.
Kiess, Pa.	Neely, W. Va.	Stanley	Winslow
Kindel	Nolan, J. I.	Steenerson	Woodruff
Kitchin	O'Brien	Sutherland	

The SPEAKER. On this call 245 Members, a quorum, have answered.

Mr. MANN. Mr. Speaker, I move to dispense with further proceedings.

Mr. PALMER. I move, Mr. Speaker, to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BYRNES of South Carolina. I ask for a division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 132, noes 10.

Mr. TRIBBLE. Mr. Speaker, I call for tellers.

The SPEAKER. Tellers are demanded. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Three gentlemen have risen—not a sufficient number.

Mr. RAGSDALE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from South Carolina [Mr. RAGSDALE] demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Three gentlemen have risen—not a sufficient number. The yeas and nays are refused. The ayes have it, and the motion to dispense with further proceedings under the call is agreed to. The Doorkeeper will open the doors.

Mr. PALMER. Mr. Speaker, I am entitled to the floor to debate the bill, am I not?

The SPEAKER. Yes.

Mr. PALMER. Mr. Speaker, though time is precious, I want to take a couple of minutes to explain—

The SPEAKER. Did the gentleman from South Carolina [Mr. BYRNES] reserve his time or not?

Mr. BYRNES of South Carolina. A point of no quorum was made.

Mr. MANN. He does not have to, Mr. Speaker, under the rules.

The SPEAKER. The Chair knows; but the gentleman from Pennsylvania [Mr. PALMER] has the right to close if he wants to. Does the gentleman from South Carolina [Mr. BYRNES] desire to use his time?

Mr. BYRNES of South Carolina. I desire to use my time. I reserved it.

The SPEAKER. Does the gentleman from Pennsylvania want to speak first?

Mr. PALMER. Yes. I want to speak now.

The SPEAKER. The gentleman will proceed.

Mr. PALMER. Mr. Speaker, it goes without saying, of course, that I am very anxious to pass this bill. The Committee on Labor, which reported it unanimously, is anxious to pass it. It is in the platforms of all the political parties. The Republican Party, and the Progressive Party, and the Democratic Party, and the Nation have declared for this kind of legislation. The country is for it, as it is for very few things in either branch of Congress to-day. [Applause.]

A little while ago I made a motion to adjourn, for this reason: That a caucus of the Democratic Party has been called to meet in the Hall of the House here at 8 o'clock to-night to consider important proposed legislation, and in order that that caucus might meet on time and in order that I might not be

responsible for interfering with it I made the motion to adjourn. The House voted down that motion, and is of a temper to do business, and therefore I think we might well postpone our caucus for a couple of hours in order to put this bill through the House. [Applause on the Democratic side.] And therefore, Mr. Speaker, I want to say that the caucus, which was called for 8 o'clock, will be deferred for a little while, and if the Members on this side who want to stand by party pledges and by the little children of the Nation will stand by for just a few minutes we will pass this bill through the House and hold our caucus and pass our ship-purchase bill also to-night. [Applause on the Democratic side.]

I ask the gentleman from South Carolina [Mr. BYRNES] to use some of his time.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BELL of Georgia. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. I make the point of order that that is a dilatory motion.

Mr. BYRNES of South Carolina. Why is it dilatory? A speech has been made.

Mr. BELL of Georgia. I insist on my motion.

Mr. MANN. I withdraw the point of order.

Mr. PALMER. I make the point of order that that is dilatory. We have just had a roll call, upon which a quorum was developed.

Mr. RAGSDALE. A point of order, Mr. Speaker. It has been at least half an hour since the motion to adjourn was made.

The SPEAKER pro tempore. The present occupant of the chair is not prepared to hold that this motion is dilatory, as now advised. The present occupant of the chair has not been present during all the proceedings, but he is informed that in the absence of a quorum a motion to adjourn was made.

Mr. PALMER. Mr. Speaker, I make the point of order that the motion to adjourn is not in order, the presence of a quorum having been developed; and only one motion to adjourn can be made pending the motion to suspend the rules and pass the bill.

Mr. MANN. Mr. Speaker, I may be in error; but as I recall the matter there has been one motion made to adjourn, which motion was defeated with a quorum present, since the motion to suspend the rules was made, and under the rule there can be only one motion to adjourn pending the motion to suspend the rules when a quorum is present.

The SPEAKER pro tempore. The Chair is now informed that since the motion to suspend the rules was made a motion was made that the House adjourn, and the House on that motion refused to adjourn. Paragraph 8 of Rule XVI provides:

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion till the vote is taken on suspension.

[Applause.]

The House having already acted on the motion to adjourn, under the rule the Chair is prohibited from entertaining the motion a second time, and the Chair sustains the point of order.

Mr. BELL of Georgia. Mr. Speaker, may I ask if there was a quorum present at the time when the motion to adjourn was voted down?

Mr. RAGSDALE. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The Chair is attempting to dispose of one point of order.

Mr. RAGSDALE. It is along that very line that I wish to be heard. At the time that the motion to adjourn was made the Speaker made a count of this House and it developed at that particular period of time that there was no quorum present, and I believe that the only time we have voted on the motion to adjourn was when there was no quorum present. Subsequently on a call of the House it was developed that there was a quorum here.

The SPEAKER pro tempore. The Chair is informed that the notes of the Journal Clerk show that a quorum was present.

Mr. MANN. I understand; but let me make a statement of what the fact was. The motion to suspend the rules was made, and a second was ordered by tellers. On the vote by tellers no quorum appeared. The point of no quorum was made, and the Speaker declared that no quorum was present, whereupon a motion to adjourn was made, and on that motion no quorum appeared; after the motion to adjourn had been disagreed to the Speaker again ordered the call of the House to be completed, and so, as a matter of fact, when that motion to adjourn was made there was no quorum present, and that declaration had been made by the Speaker.

Mr. RAGSDALE. And it being shown affirmatively once that there was no quorum present the motion to adjourn now is in order.

The SPEAKER pro tempore (Mr. FITZGERALD). The Chair has before him the notes of the Journal Clerk.

Mr. RAGSDALE demanded the yeas and nays, which were ordered. The roll was called, and the yeas were 34 and nays 183, and so the motion to adjourn was not agreed to.

There were 217 Members present. The Chair is informed that 213 constitute a quorum as the House is at present constituted.

Mr. RAGSDALE. Mr. Speaker, since that period of time the gentleman from Pennsylvania [Mr. PALMER] moved to adjourn, and it developed that there was no quorum, and then the gentleman from Pennsylvania demanded a call of the House, and thereafter a quorum was developed, but at the time the motion to adjourn was made there was no quorum. The quorum has developed since the call of the House, and therefore I contend that my motion is in order.

The SPEAKER pro tempore. Since the motion to suspend the rules was submitted to the House, a motion was made to adjourn, and on that motion the yeas and nays were ordered and the House refused to adjourn with a quorum present, as disclosed by the roll call. Under the rule, a motion to adjourn having been submitted since the motion to suspend the rules was presented to the House, with a quorum present, the Chair is prohibited from entertaining another motion to adjourn until the vote is taken on the suspension, and the point of order being made against the gentleman's motion, the Chair is compelled to sustain the point of order.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MURDOCK. Before the present occupant of the chair took the chair, it was held by the Speaker that a motion to adjourn was in order under the rule where a quorum was not present.

The SPEAKER pro tempore. That is true; but that situation does not exist at this time. The gentleman from South Carolina [Mr. BYRNES] is recognized for 15 minutes.

Mr. BYRNES of South Carolina. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. RAGSDALE].

Mr. RAGSDALE. Mr. Speaker—

Mr. TRIBBLE. Mr. Speaker—

Mr. RAGSDALE. Mr. Speaker, I yield to the gentleman from Georgia [Mr. TRIBBLE].

Mr. TRIBBLE. Mr. Speaker, I move to reconsider the motion by which the House refused to adjourn.

The SPEAKER pro tempore. The gentleman from South Carolina can not yield to the gentleman from Georgia for that purpose.

Mr. MANN. You can not reconsider a motion to adjourn, anyhow.

Mr. TRIBBLE. Mr. Speaker—

Mr. RAGSDALE. I yield to the gentleman from Georgia.

Mr. TRIBBLE. I make the point of order that there is no quorum present.

Mr. BUCHANAN of Illinois. And I make the point of order that that motion is dilatory.

The SPEAKER pro tempore. The gentleman from Georgia makes the point of order that there is not a quorum present. The Chair will count. [After counting.] Two hundred and thirteen members present, a quorum, and the gentleman from South Carolina [Mr. RAGSDALE] is recognized for five minutes.

[Mr. RAGSDALE addressed the House. See Appendix.]

Mr. PALMER. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, the gentleman who has just spoken says that this bill will destroy the industries in certain Southern States; that it yields to the Federal Government control of the industries in those States. Mr. Speaker, this bill will not interfere in the least with the industries of the Southern States or of any other State. Any Southern State that will stop the exploitation of child labor—that will stop sacrificing the lives of its little children—will not be affected in the least degree by this law, but all this law says is that if you insist on doing that thing you will keep within the confines of your own State when you do it, and you shall not exercise a right under the interstate-commerce clause of the Constitution to bring the products of your child labor into competition with other States where they have some respect and some regard for the lives of the little children of the country. [Applause.]

I wish I had the time to discuss somewhat the constitutionality of this question, but I have not in three minutes. This very Congress, however, passed a convict-labor bill prohibiting

the shipment in interstate commerce of the products of convict labor; and if we have the right to do that, and we have, then we have the right to prohibit all interstate-commerce shipments of the products of child labor, which ought to be of a great deal more concern to this country than any other form of labor.

HOOR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask the gentleman from Pennsylvania to yield to me in order that I might make a request for unanimous consent.

Mr. PALMER. I yield to the gentleman for that purpose.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, will the gentleman inform us if the special rule for the consideration of the shipping bill is to come in to-morrow?

Mr. UNDERWOOD. I am not sure about that, but if it does not there will be an appropriation bill under consideration, as well as other business, which we better dispose of one way or the other as soon as we can, because if we expect to avoid an extra session we better be at work.

Mr. MURDOCK. Does the gentleman expect the shipping bill to come in?

Mr. UNDERWOOD. I can not answer that question now; I am not prepared to answer it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

CHILD LABOR.

Mr. BYRNES of South Carolina. Mr. Speaker, I do not care to use any more of the time allotted to me. [Applause.]

Mr. PALMER. Mr. Speaker, while I have time remaining, owing to the lateness of the hour I shall not use any further time, and I ask for a vote. [Applause.]

The SPEAKER pro tempore. The question is, Shall the rules be suspended and the bill passed?

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER pro tempore. Those in favor of ordering the yeas and nays will rise and stand until counted. Evidently a sufficient number, and the yeas and nays are ordered.

Mr. RAGSDALE. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. The yeas and nays have been ordered.

Mr. RAGSDALE. But I made the point of order of no quorum present, and the roll has not yet begun.

The SPEAKER pro tempore. The Chair will count and will ask gentlemen not to move, so there will be no confusion. [After counting.] Two hundred and twenty-one gentlemen are present, a quorum—

Mr. RAGSDALE. Mr. Speaker, on that I demand tellers.

The SPEAKER pro tempore. But the yeas and nays have been ordered.

The question was taken; and there were—ayes 233, nays 43, answered "present" 2, not voting 145, as follows:

[Roll No. 64.]

YEAS—233.

Abercrombie	Burnett	Dupré	Glass
Adair	Byrnes, Tenn.	Eagan	Goeke
Alexander	Caraway	Eagle	Goodwin, Ark.
Allen	Carlin	Edmonds	Gordon
Ashbrook	Carter	Esch	Graham, Ill.
Aswell	Casey	Estopinal	Gray
Austin	Church	Evans	Greene, Mass.
Bailey	Clancy	Falconer	Greene, Vt.
Baker	Cline	Farr	Gregg
Baltz	Coady	Fergusson	Gudger
Barchfeld	Collier	Ferris	Guernsey
Barkley	Connelly, Kans.	Fess	Hamilton, Mich.
Barton	Connolly, Iowa	Fields	Harris
Bathrick	Cooper	Fitzgerald	Hay
Beakes	Cox	FitzHenry	Hayden
Beil, Cal.	Cramton	Flood, Va.	Healin
Booher	Cullop	Floyd, Ark.	Helgesen
Borchers	Curry	Foster	Helvering
Borland	Davenport	Fowler	Henry
Bowdle	Decker	Francis	Hill
Brown, N. Y.	Deitrick	French	Hinds
Browne, Wis.	Dershem	Gallagher	Hinebaugh
Browning	Dickinson	Gallivan	Houston
Brumbaugh	Dillon	Garner	Howard
Bryan	Dixon	Garrett, Tenn.	Hull
Buchanan, Ill.	Donohoe	George	Igoe
Buchanan, Tex.	Donovan	Gill	Jacoway
Bulkley	Doolittle	Gill	Johnson, Ky.
Burke, S. Dak.	Doremus	Gilmore	Jones
Burke, Wis.	Driscoll	Gittins	Keating

Keister	MacDonald	Rainey	Stevens, N. H.
Kennedy, Conn.	Mann	Raker	Stone
Kennedy, Iowa	Mapes	Rauch	Stout
Kent	Martin	Reilly, Conn.	Stringer
Key, Ohio	Metz	Reilly, Wis.	Summers
Kinkaid	Miller	Rothmel	Taggart
Kirkpatrick	Mitchell	Rouse	Talbot, Md.
Knowland, J. R.	Mondell	Rubey	Talcott, N. Y.
Konop	Morgan, Okla.	Rucker	Tavener
Korbly	Moss, Ind.	Russell	Taylor, Ark.
Lafferty	Moss, W. Va.	Seldomridge	Thomas
La Follette	Mott	Shackleford	Thompson, Okla.
Lazar	Murdock	Sherley	Towner
Lee, Pa.	Nelson	Sherwood	Townsend
Lenroot	Norton	Sims	Underwood
Leshor	Oldfield	Sinnott	Vaughan
Lewis, Md.	Padgett	Slemp	Vollmer
Lieb	Paige, Mass.	Sloan	Volstead
Lindbergh	Palme	Smith, Idaho	Walsh
Lindquist	Parker, N. Y.	Smith, J. M. C.	Watkins
Linthicum	Patten, N. Y.	Smith, Md.	Whitacre
Lloyd	Patton, Pa.	Smith, Minn.	Williams
Lobeck	Peters	Smith, N. Y.	Wingo
Logue	Peterson	Smith, Tex.	Woods
Longergan	Phelan	Stafford	Young, N. Dak.
McAndrews	Porter	Stephens, Cal.	Young, Tex.
McKellar	Post	Stephens, Nebr.	
McKenzie	Powers	Stephens, Tex.	
McLaughlin	Quin	Stevens, Minn.	

NAYS—43.

Adamson	Dent	Lee, Ga.	Slayden
Alken	Dies	Lever	Small
Bartlett	Doughton	Mulkey	Stedman
Beall, Tex.	Finley	O'Hair	Stephens, Miss.
Bell, Ga.	Hardy	Page, N. C.	Tribble
Blackmon	Harrison	Park	Vinson
Brockson	Helm	Parker, N. J.	Watson
Callaway	Holland	Pou	Weaver
Candler, Miss.	Hughes, Ga.	Ragsdale	Webb
Clark, Fla.	Humphreys, Miss.	Rayburn	Witherspoon
Crisp	Kitchin	Sisson	

ANSWERED "PRESENT"—2.

Byrnes, S. C. Saunders

NOT VOTING—145.

Ainey	Fordney	Kless, Pa.	Roberts, Nev.
Anderson	Frear	Kindel	Rogers
Anthony	Gard	Kreider	Rupley
Avis	Gardner	Langham	Sabath
Barnhart	Gerry	Langley	Scott
Bartholdt	Gillett	L'Engle	Scully
Britten	Godwin, N. C.	Levy	Sells
Brodbeck	Goldfogle	Lewis, Pa.	Shreve
Broussard	Good	Loft	Smith, Saml. W.
Brown, W. Va.	Gorman	McLellan	Sparkman
Bruckner	Goulden	McGillicuddy	Stanley
Burgess	Graham, Pa.	McGuire, Okla.	Steenerson
Burke, Pa.	Green, Iowa	Madden	Sutherland
Butler	Griest	Maguire, Nebr.	Switzer
Calder	Griffin	Mahan	Taylor, Ala.
Campbell	Hamill	Maher	Taylor, Colo.
Cantor	Hamilton, N. Y.	Manahan	Taylor, N. Y.
Cantrill	Hamlin	Montague	Temple
Carew	Hart	Moon	Ten Eyck
Carr	Haugen	Moore	Thacher
Cary	Hawley	Morgan, La.	Thomson, Ill.
Chandler, N. Y.	Hayes	Morin	Treadway
Claypool	Hensley	Morrison	Tuttle
Conry	Hobson	Murray	Underhill
Copley	Howell	Neeley, Kans.	Vare
Crosser	Hoxworth	Necly, W. Va.	Walker
Dale	Hughes, W. Va.	Nolan, J. I.	Wallin
Danforth	Hulings	O'Brien	Walters
Davis	Humphrey, Wash.	Oglesby	Whaley
Disenderfer	Johnson, S. C.	O'Shaunessy	White
Dooling	Johnson, Utah	Platt	Wilson, Fla.
Drukker	Johnson, Wash.	Plumley	Wilson, N. Y.
Dunn	Kahn	Price	Winslow
Edwards	Kelley, Mich.	Prouty	Woodruff
Elder	Kelly, Pa.	Reed	
Fairchild	Kennedy, R. I.	Riordan	
Faison	Kettner	Roberts, Mass.	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. GILLET and Mr. SUTHERLAND, for bill, with Mr. BYRNES of South Carolina, against.

Mr. ROGERS and Mr. PLUMLEY, for bill, with Mr. SAUNDERS, against.

Mr. SAUNDERS. Mr. Speaker, I find I voted "nay." I wish to withdraw that vote and vote "present." I understand that Mr. ROGERS did not vote.

The SPEAKER pro tempore. He did not vote.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WHALEY, for three days, on account of sickness.

To Mr. HENSLEY, for three days, on account of sickness.

To Mr. BARNHARDT, indefinitely, on account of illness and death in his family.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army; and

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 59 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Tuesday, February 16, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion in the case of D. I. Smith et al. v. The United States (H. Doc. No. 1608), was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the resolution of the Senate (S. J. Res. 210) to authorize the President to invite certain Governments to send delegates to the Pan American Medical Congress, reported the same with amendment, accompanied by a report (No. 1409), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21451) providing for artificial limbs for soldiers every two years; to the Committee on Invalid Pensions.

By Mr. PAGE of North Carolina: A bill (H. R. 21452) to authorize the Secretary of the Treasury to audit and adjust certain claims of the State of North Carolina; to the Committee on Claims.

By Mr. VOLLMER: A bill (H. R. 21453) to repeal sections 35 to 49, inclusive, of the act of June 13, 1898, concerning mixed flour, as amended by act of April 12, 1902; to the Committee on Ways and Means.

By Mr. CRISP: A bill (H. R. 21454) to prohibit banks holding membership in the Federal reserve system from receiving deposits when insolvent, and prescribing penalties therefor; to the Committee on Banking and Currency.

By Mr. BRYAN: Joint resolution (H. J. Res. 422) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By the SPEAKER (by request): Memorial of the Legislature of the State of North Dakota, urging upon Congress to reconsider and pass the Sheppard-Hobson prohibition-amendment resolution; to the Committee on the Judiciary.

Also (by request), a memorial of the Legislature of the State of Kansas, asking Congress to take necessary steps to deal with the Cimarron River situation as affecting the lands of Kansas and Oklahoma; to the Committee on Irrigation of Arid Lands.

By Mr. ASHBROOK: Memorial of the Legislature of the State of Ohio, relative to the protection of passengers and shipping interests on the high seas and Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALLEN: Memorial of the Legislature of the State of Ohio, respecting protection of passengers and shipping interests on the high seas and the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, asking that Congress authorize the Secretary of Agriculture to make a study of local conditions necessary to formulate plans for public-road development, etc.; to the Committee on Agriculture.

Also, a memorial of the Legislature of the State of Oregon, favoring the enactment of Senate bill 6217, entitled "A bill to increase the efficiency of the Organized Militia, and for other purposes"; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota urging Congress to reconsider and pass the resolution submitting the Sheppard-Hobson prohibition amendment to the Constitution; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of North Dakota opposing the passage of proposed legislation to have granted to the State for leasing purposes certain tracts of Government lands; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21455) granting an increase of pension to James C. Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21456) granting an increase of pension to John W. Warman; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 21457) granting an increase of pension to Leonidas C. Kilgore; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 21458) granting an increase of pension to Thomas J. Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21459) for the relief of Charles K. Bolster; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 21460) for the relief of the legal representatives of R. H. Wells; to the Committee on War Claims.

By Mr. TAYLOR of Arkansas: A bill (H. R. 21461) for the relief of S. Reamey; to the Committee on War Claims.

Also, a bill (H. R. 21462) for the relief of the legal representatives of Archer Hays, deceased; to the Committee on War Claims.

By Mr. NEELY of West Virginia: A bill (H. R. 21463) granting a pension to Theodore H. Robinson; to the Committee on Pensions.

By Mr. KORBLY: A bill (H. R. 21464) granting a pension to James O'Neal; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Augusta, Mo., favoring embargo on arms; to the Committee on Foreign Affairs.

Also (by request), petition of Chamber of Commerce, Atoka, Okla., relative to Choctaw Indian money; to the Committee on Indian Affairs.

Also (by request), petition of Amalgamated Clothing Workers of America, relative to unemployment in the United States; to the Committee on Labor.

By Mr. ALLEN: Petition of citizens of Mount Vernon, Ohio, against passage of laws abridging the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Cincinnati, Ohio, favoring embargo on munitions of war; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of A. L. Ostman, of New York City, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. BELL of California: Petition of the Shakespeare Club, Pasadena, Cal., protesting against sending American horses to European battle fields; to the Committee on Foreign Affairs.

Also, memorial of Le Mesa (Cal.) Chamber of Commerce, favoring an appropriation for the construction of a military road to Yuma, Ariz.; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: Petition of S. E. Pearl, C. C. Cartis, and others, of Arpin and Wood County, Wis., favoring

freedom of speech and of the press and opposing House bill 20644; to the Committee on the Post Office and Post Roads.

Also, petition of G. W. Paulus, John A. Gaynor, and others, of Grand Rapids, Wis., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. BRUCKNER: Petition of J. C. Noonan, Miss M. T. Murphy, Miss C. I. Farrell, and 97 other Roman Catholic citizens, of New York City, against use of the mails by the Menace; to the Committee on the Post Office and Post Roads.

Also, petition of John Murphy, Washington, D. C., favoring a bill placing on the retired list of the Army, with the rank of major general, Col. John L. Clem, Quartermaster Corps; to the Committee on Military Affairs.

Also, petition of New York associated dailies against increase in postage rate on newspapers; to the Committee on the Post Office and Post Roads.

Also, petition of harbor boatmen of New York, favoring passage of seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of E. R. Davis and Norman King, of New York City, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. COPLEY: Memorial of St. Joseph's Branch, No. 67, Western Catholic Union, protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. CURRY: Petition of Chamber of Commerce of Northern San Joaquin County, Cal., against legislation prohibiting manufacture by the Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Petition of citizens of South Dakota, favoring embargo on war material; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of 32 citizens of Herington and Lehigh, Kans., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. DONOHUE: Petition of citizens of Philadelphia, Pa., favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petition of Miss Mary S. Burroughs, chairman, and 6,000 citizens in a mass meeting at Elmwood Music Hall, Buffalo, N. Y., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. FLOYD of Arkansas: Petition of citizens of Baxter County, Ark., for the completion of the system of locks and dams on the upper White River; to the Committee on Rivers and Harbors.

Also, papers to accompany H. R. 21061, granting an increase of pension to William R. Fisher; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petition of citizens of Indianapolis, Ind., and citizens of Jamaica Plain and Boston, Mass., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. HELGESEN: Petitions of citizens of Elgin, Linton, and Gladstone, Lidgewood, Newhome, Sykeston, Hankinson, and Richardton, N. Dak., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of 40 citizens of Kindred, N. Dak., in the interest of peace; to the Committee on Foreign Affairs.

By Mr. KONOP: Memorial of Women's Club, of Green Bay, Wis., favoring passage of the Palmer-Owen child labor bill; to the Committee on Labor.

Also, petition of citizens of the ninth congressional district of Wisconsin, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Anna Warner Bailey Chapter, Daughters of the American Revolution, of Groton, Conn., favoring an appropriation to be used to make copies of certain historical data now on file in the Pension Office; to the Committee on Appropriations.

By Mr. MOORE: Petition of sundry citizens of Philadelphia, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MORIN: Petitions of Vorwaerts Singing Society, of Pittsburgh, Pa.; German Roman Catholic Central Verein, of Philadelphia, Pa.; and E. C. F. Ernst, of Pittsburgh, Pa., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of E. C. Keyser, of Pittsburgh, Pa., relative to system of Federal, State, and municipal free-employment agencies; to the Committee on Labor.

Also, petition of Simpson, Brown & Williams, of Philadelphia, Pa., protesting against House bill 16098, relative to registration of trade-marks; to the Committee on Patents.

Also, memorial of Woman's Home Missionary Society, Oakland Methodist Episcopal Church, Pittsburgh, Pa., protesting

against polygamy in the United States; to the Committee on the Judiciary.

Also, memorial of chamber of commerce of Pittsburgh, Pa., protesting against House bill 18666, ship-purchase bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Frankford Arsenal Association, of Philadelphia, Pa., relative to appropriation for improvements in Frankford Arsenal; to the Committee on Appropriations.

Also, petition of the Lutheran Mutual Fire Insurance Association, Burlington, Iowa, relative to exempting from bill to compel companies doing business in a State to pay taxes there on mutual insurance within church organizations; to the Committee on Ways and Means.

By Mr. NEELY of West Virginia: Papers to accompany House bill 20389; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: Petition of Legislature of Arkansas, favoring completion of a system of locks and dams begun in 1898; to the Committee on Rivers and Harbors.

By Mr. PALMER: Petition of citizens of Easton, Pa., protesting against abridgment of freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of 48 citizens of New Salem, Ill., and 34 citizens of Bluffs, Ill., against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. REILLY of Connecticut: Petition of sundry citizens and societies of Connecticut, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petition of Art Ring, of Long Branch, N. J., favoring establishment of municipal free-employment agencies; to the Committee on Labor.

By Mr. SIMS: Petition of the Woman's Christian Temperance Union of Big Sandy, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petitions signed by 1,200 citizens of Los Angeles, Cal., favoring House joint resolution 377, prohibiting the export of arms and munitions of war; to the Committee on Foreign Affairs.

Also, petitions signed by 41 citizens of Los Angeles, Cal., favoring House joint resolution 344, authorizing a national marketing commission; to the Committee on Agriculture.

Also, petitions signed by six citizens of Los Angeles, Cal., favoring Palmer-Owen child labor bill; to the Committee on Labor.

By Mr. TALCOTT of New York: Memorial of common council of the city of Utica, N. Y., favoring the pensioning of civil-service employees; to the Committee on Reform in the Civil Service.

Also, petition of citizens of Vienna, N. Y., protesting against Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, February 16, 1915.

(Legislative day of Monday, February 15, 1915.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

PUBLIC BUILDING AT FORT WORTH, TEX.

Mr. CULBERSON. Mr. President, I ask unanimous consent, out of order, to submit a report from the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I object. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Martine, N. J.	Smith, Ga.
Bankhead	Fall	Nelson	Smith, Md.
Borah	Fletcher	Norris	Smith, Mich.
Brady	Goff	O'Gorman	Smith, S. C.
Brandegee	Gore	Overman	Smoot
Bristow	Gronna	Page	Stephenson
Bryan	Hitchcock	Penrose	Sterling
Burleigh	Hollis	Perkins	Sutherland
Burton	James	Pittman	Swanson
Camden	Johnson	Pomerene	Thomas
Catron	Jones	Reed	Thompson
Chilton	Kenyon	Robinson	Townsend
Clapp	Kern	Root	Vardaman
Clark, Wyo.	Lane	Saulsbury	Walsh
Clarke, Ark.	Lippitt	Shafton	Warren
Cole	Lodge	Sheppard	Weeks
Crawford	McCumber	Sherman	White
Culberson	McLean	Shively	Williams
Cummins	Martin, Va.	Simmons	Works